

Policy title:	Child Protection Policy	Version 4	February 2020
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1. PURPOSE

In line with IWDA's rights-based approach to international development practice, IWDA is committed to ensuring the safety and wellbeing of all children. IWDA believes that children have a right to survival, development, protection and participation as enshrined in the United Nations Convention on the Rights of the Child and the two optional protocols

This policy outlines how IWDA emphasises the rights of girls to an equitable and safe future and will work to promote child-safe environments to ensure that all children directly associated with IWDA activities are protected.

2. SCOPE

This policy applies to all "Representatives of IWDA" including staff, volunteers, board members, consultants, family members accompanying staff on travel and assignment, and people acting on behalf of IWDA.

This policy applies at all times when Representatives of IWDA are working, travelling or representing IWDA, both during and outside normal working hours.

3. Key Definitions

3.1 Child/Children

In accordance with the United Nations Convention on the Rights of the Child, 'child' means every young person below the age of 18 years unless, under the domestic law applicable to the child, majority is attained earlier. Note: See below for some sexual offences which only apply to persons aged below the age of 16. For Australian citizens, offences against children which take place in other countries and prosecuted in Australia are taken to apply to children under the age of 16 years.

3.2 Abuse

Abuse can be perpetrated against children of all ages, ethnicity and social backgrounds, abilities, sexual orientation, gender identity, religious beliefs and political persuasion. Child abuse can include physical, sexual, emotional, neglect, bullying, child labour, grooming and domestic violence. It can also include trafficking for the purposes of sex or labour and can include being used in or exposed to pornography. Abuse can be inflicted on a child by both adult men and women and also by people who are placed in a position of trust through their work or social position, such as teachers, doctors or development workers. In some instances, children and young people can be abused by each other under direction from an adult or as part of trafficking or the production of child pornography. Child abuse can be both in person and through online platforms including social media. Child abuse can cause significant harm to a child's growth and development. Child abuse in all its forms is harmful. It can include immediate harm such as bruises, cuts, burns or fractures, or less visible harm in the form of depression, anxiety or loss of sense of self.

3.3 Working with Children

Representatives of IWDA working in a position that involves regular contact with children, either under the position description or due to the nature of the work environment, are required to adhere to this policy. Due to the nature of IWDA and partner activities, this can include either working with children directly (in a small number of projects), i.e. as program beneficiaries, or indirectly, i.e. as children that are brought

along to activities with their mother, or other care providers, and children that are located in the vicinity of activities.

See Annex 3 for additional definitions

4. POLICY

IWDA recognises that children are present and are members of every community in which we work. IWDA's work ranges from working with children in programs focused on engagement and impact on the lives of children, through to activities with no contact or impact.

IWDA will apply child safe practices to all aspects of management and implementation, including recruitment and selection and program partnership. IWDA's child safe practices include:

- a) At all times portraying children in a respectful, appropriate and consensual way. Our multimedia guidelines and Child Protection Code of Conduct are in line with the ACFID Code of Conduct.
- b) Promoting our child safe commitment on our website, in job advertisements and position descriptions
- c) Assessing all positions for their level of risk in relation to contact with children.
- d) The use of behavioural-based questions for positions identified as working with children, to explore examples of a candidate's past behaviour and experiences and conducting verbal referee checks for successful candidates prior to engagement.
- e) Requiring IWDA representatives who will have contact with children as part of their engagement, to undergo a National Police Check from the Australian Federal Police prior to engagement and, where possible, any country where they have lived for more than 12 months over the past 5 years. Where this is not achievable a statutory declaration may be required.
- f) Developing an IWDA Child Protection Code of Conduct to communicate clear behavioural guidelines and expectations and the commitment of personnel to maintain high standards of professionalism when dealing with children, including establishing and maintaining clear professional boundaries which protect children as well as guard against misunderstanding. The IWDA Child Protection Code of Conduct is attached in Annex 1.
- g) Requiring IWDA representative and visitors to IWDA and partner project sites, sign the IWDA's Child Protection Code of Conduct upon commencement of their engagement.
- h) Making all staff aware of this Policy as a part of their induction.
- i) Training for all staff on the implementation of the Child Protection Policy, including incident reporting and compliance procedures, on a regular basis
- j) Reserving the right to refuse employment or terminate any person's employment where an allegation of abuse or threat to a child, has been substantiated.
- k) Reserving the right to dismiss or transfer to other duties personnel who breach IWDA's Child Protection Code of Conduct in all employment contracts.
- l) Protecting the confidentiality of children's information, including images, ensuring data is stored without identifying information and accessed only by authorised personnel.
- m) Protecting the confidentiality of notifiers, alleged victims and alleged perpetrators, ensuring a complete investigation is undertaken.
- n) Prioritising the best interests and protection of children over the opportunity for advocacy and promotion of the agency.
- o) Concealing the identity of vulnerable and at-risk children. Not showing a vulnerable child's face or represent them in any way that may lead to their identification.
- p) Not identifying children as survivors of sexual exploitation, gender-based violence or abuse.

- q) Not revealing an individual child's status as a person living with HIV, TB or any other serious health conditions without written consent.
- r) Prioritising the safety of an individual when profiling engagement in activities regarding human rights and changing gender norms.
- s) Complying with the Department of Foreign Affairs & Trade (DFAT) Child Protection Policy.

When considering new partnerships/programs in new countries, IWDA will only work in countries where the UN Convention on the Rights of the Child has been ratified.

5. RESPONSIBILITIES

Board	<ul style="list-style-type: none"> • Oversight of this Policy • Approval of any revisions
CEO	<p>IWDA's Chief Executive Officer and another designated member of staff act as IWDA's Child Protection Focal Points. Specifically, the CEO is responsible for the overall implementation of this Policy as part of her responsibility to promote the interests of IWDA and to manage its business. These responsibilities include:</p> <ul style="list-style-type: none"> • Authorising financial and human resource allocations to meet child protection standards; • Accountability for tracking and responding to child protection issues to ensure continuous monitoring and improvement; • Role modelling awareness, responsibility and self-management; • Authorising changes to the procedures, systems and performance management which support this policy. • Monitoring IWDA compliance with relevant legislation, sector and donor requirements.
Child Protection Focal Points	<ul style="list-style-type: none"> • Taking initial steps in managing reports of any suspicion or accusation of harm to children by IWDA or Partners and ensure reporting procedures and documentation is completed • Reviewing and providing feedback on partner organisation policy and procedures • Reviewing and monitoring child protection capacity and risk assessments
The IWDA Leadership Team	The IWDA Leadership Team is responsible for the ongoing implementation, interpretation, review and maintenance of this Policy to a standard which is compliant with DFAT and ACFID requirements.
The P&C Manager	The P&C Manager will ensure that all staff are adequately inducted to implement IWDA's Child Protection Policy and supporting procedures.
The Director of Systemic Change and Partnerships	The Director of Systemic Change and Partnerships is responsible for ensuring and monitoring IWDA's partners compliance with the requirements set out in clause 5.2 of this policy.

All Representatives of IWDA	All Representatives of IWDA must take individual and collective responsibility to ensure the protection of children at all times, and to comply with this policy, including without limitation each of the policy statement set out in clause 3 of this policy
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6. IMPLEMENTATION

6.1 Risk Management

While it is not possible to eliminate all risks of child abuse, IWDA will ensure risks of child abuse are identified, monitored and reasonably mitigated against in the assessment of all our activities.

IWDA will undertake a Risk Assessment for all partnerships to identify risks, classify any high risk activities and document steps being taken to reduce or remove these risks. Child protection risk assessments for all programs and activities involving children will be undertaken at the program design and proposal stage, form part of regular monitoring and be reviewed at regular reporting intervals.

6.2 Program Partners

All program partners will:

- sign IWDA's Child Protection Code of Conduct committing to adhere to this Policy,
- have child protection clauses included in all partnership agreements and audits.

IWDA will provide partners with support to comply with all IWDA, DFAT and ACFID child protection requirements and to develop their own policies and reporting processes and systems to manage allegations.

6.2 Reporting

Any allegation of child abuse by representatives of IWDA or partner organisation staff, must be reported immediately utilising the IWDA child abuse reporting procedures outlined in Annex 2 of this policy. This includes:

- If the allegation constitutes a criminal offence in the country, a report to the police of that country is mandatory. Reporting child abuse in Australia is mandatory.
- Reporting to DFAT any suspicion or disclosure of child abuse and exploitation by any DFAT funded partner that receive DFAT funding (including Contractors, Consultants, advisers and contracted individuals, NGO's, Civil society organisations, downstream partners or organisations subcontracted by DFAT funded NGO's, CSO's consultants, contractors or advisers and their personnel, AVID participants, host organisations and DFAT grant recipients.

6.3 Misconduct

All forms of child abuse conducted by any Representatives of IWDA wherever or whenever it occurs, or any breach of this Policy will be deemed serious misconduct and grounds for immediate termination.

7. REVIEW AND AMENDMENT

This policy will be reviewed every three years to ensure it remains compliant with law, relevant and effective. Any changes must be approved by the Board.

8. REFERENCES/RELATED DOCUMENTS

- IWDA Child Protection Guidelines
- IWDA Multimedia Guidelines
- IWDA Whistleblower Policy and Procedures
- IWDA Internet and Email Policy
- IWDA Recruitment and Selection Policy
- IWDA Cessation of Employment Policy
- IWDA Code of Conduct
- IWDA Partnership Agreement template
- IWDA Funding Order template
- IWDA Incident Report Form template
- CrimCheck Police check application form
- United Nations Convention on the Rights of the Child
- DFAT Child Protection Policy
- ACFID Code of Conduct Program Principles

ANNEX 1: IWDA CHILD PROTECTION CODE OF CONDUCT

I, **[insert name]**, agree that while engaged by IWDA, acknowledge that I have read and understood IWDA's Child Protection Policy and Procedures and agree that while implementing activities associated with IWDA, I will:

- Treat children with respect regardless of race, colour, sex, gender, gender identity, sexuality, sexual orientation, age, indigeneity, national, ethnicity, language, religion, political or other opinion, disability, property, displacement, caste, poverty, class or socio-economic status
- Not use language or behaviour towards children that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate
- Not engage children under the age of 18 in any form of sexual intercourse (as defined under the Criminal Code Act 1995) or sexual activity (as defined under the Criminal Code Act 1995), including paying for sexual services or acts
- Wherever possible, ensure that another adult is present when working in the proximity of children
- Not invite unaccompanied children into my home, unless they are at immediate risk of injury or in physical danger
- Not sleep close to unsupervised children unless absolutely necessary, in which case I must obtain my supervisor's permission, and ensure that another adult is present if possible
- Not give or provide children with alcohol or illegal drugs;
- Not show favouritism through the provision of gifts or inappropriate attention; behave provocatively or inappropriately with a child.
- 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 (see also 'Use of children's images for work related purposes below)
- Refrain from physical punishment or discipline 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
- Immediately report concerns or allegations of child abuse in accordance with appropriate procedures to IWDA senior management
- Immediately disclose all charges, convictions and other outcomes of an offence, which occurred before or occurs during my association with IWDA that relate to child exploitation and abuse

IWDA staff and consultants occasionally have a holiday in the same country after meeting with IWDA partners. It is imperative that this code of conduct be followed until the IWDA staff member or consultant leaves the partner's country.

Use of children's images for work-related purposes

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

- Before photographing or filming a child, assess and comply with local traditions or restrictions for photographing or filming a child
- Before photographing or filming a child, obtain consent from the child and/or a parent or guardian of the child. As part of this I must explain how the photograph or film will be used
- Ensure photographs, films, videos and DVDs present children in a dignified and respectful manner and not in a vulnerable or submissive manner. Children should be adequately clothed and not in poses that could be seen as sexually suggestive
- Ensure images are honest representations of the context and the facts
- Ensure file labels or text descriptions do not reveal identifying information about a child when sending images electronically or publishing images in any form
- Conceal the identity of vulnerable and at-risk children. Do not show a vulnerable child's face or represent them in any way that may lead to their identification.
- Do not identify children as survivors of sexual exploitation, gender-based violence or abuse
- An individual child's status as a person living with HIV, TB or any other serious health conditions must not be revealed without written consent
- Prioritise the safety of an individual when profiling engagement in activities regarding human rights and changing gender norms.

I understand that the onus is on me, as a person engaged by IWDA, to use common sense and avoid actions or behaviours that could be construed as child exploitation or abuse when implementing DFAT funded activities or other IWDA activities funded from other sources.

Name _____

Signed _____

Date _____

ANNEX 2: IWDA CHILD ABUSE ALLEGATION REPORTING PROCEDURE

What should be reported

- Any disclosure or allegation from a child/community member or staff regarding the safety/abuse or exploitation of a child.
- Any observation or concerning behaviour exhibited by an IWDA staff, volunteer or other relevant stakeholder that threatens the safety or protection of a child including behaviour which may be characterised as suspicious behaviour that could be associated with sexual exploitation or trafficking.

When to report

- Child abuse concerns should be raised immediately.

How should it be reported

- Child abuse allegations occurring in Australia or overseas should be made directly to the Chief Executive Officer of IWDA via verbal discussion and completion of an incident report form. Reports can also be made by phone on +61 3 8373 2500 or email at

ethics@iwda.org.au.

- IWDA's Whistle-blower policy and procedure is available to IWDA employees, staff, volunteers, consultants, officers, board directors, associates, suppliers to IWDA and other people acting on behalf of IWDA, as well as any spouse, relative, dependent or employee of any of them.
- Stakeholders including community members and staff of IWDA partner organisations can also make a report following IWDA's public complaints procedure, listed on our website

What will happen next

- IWDA will immediately notify the Chair of the IWDA Board and any other required notifications and determine the need for an investigation.
- If the complaint or concern relates to an Australian citizen engaged by IWDA to work overseas IWDA's Chief Executive Officer will consult with/report to the Australian Federal Police who are responsible for the investigation of crimes of this nature committed by Australian citizens overseas.
- If the complaint or concern relates to a person engaged by IWDA to work within Australia IWDA's Chief Executive Officer will consult with/report to the Police who are responsible for the investigation of crimes of this nature.
- If the complaint or concern relates to a person employed by an IWDA partner organisation IWDA's Chief Executive Officer, or her delegate, will, subject to obligations of confidentiality, discuss the allegations with the partner organisation's Chief Executive Officer and decide together upon the next steps. These may involve:
 - Report to local police and or child protection authority
 - Report made to the Australian Federal Police
 - Concern handled internally if it is not a criminal matter
 - No further action taken
- IWDA will report to DFAT as per Government policy that all organisations and individual contractors are expected to immediately notify DFAT Child Protection Compliance Section if any DFAT funded personnel, or DFAT partner personnel, are accused of, charged with, arrested for, or convicted of criminal offences relating to child exploitation and abuse.
- IWDA will treat all concerns raised seriously and ensure that all parties will be treated fairly in accordance with the principles of natural justice. All reports will be handled professionally, confidentially and expediently.

- IWDA will take all reasonable endeavours to protect the confidentiality of all parties during an investigation, all details of the reporting and investigation process will be kept confidential and only shared with relevant authorities and DFAT as is mandatory.
- All reports made in good faith will be viewed as being made in the best interests of the child regardless of the outcomes of any investigation. IWDA will ensure that anyone reporting child abuse in good faith is also protected

ANNEX 3: DEFINITIONS

Act of indecency

Is an act that is of a sexual nature and involves the human body or bodily actions or functions; and is so unbecoming or offensive that it amounts to a gross breach of ordinary contemporary standards of decency and propriety in the Australian community.

Child Pornography

The possession, control, production, supply, obtaining of child pornography material is an offence under the Commonwealth Criminal Code Act 1995. An Australian citizen, or person usually resident in Australia, who commits this offence can be convicted of such an offence in an Australian court. The Optional Protocol to the Convention on the Rights of the Child, defines 'child pornography' to mean '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'. Australia citizens can be prosecuted in Australia for these sexual offences against children, when those offences occur outside Australia.

Child Trafficking

Trafficking is defined as the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion; of abduction; of fraud; of deception; of the abuse of power or of a position of vulnerability; or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs. The Child Protection Policy complements IWDA's Human Trafficking Policy.

Domestic Violence

Domestic/intimate partner violence occurs when children and young people witness or experience the domination, coercion, intimidation and victimisation of one person by another by physical, sexual or emotional means within intimate relationships. (Adapted from the Australian Medical Association definition)

Emotional abuse

Emotional or psychological abuse means behaviour by a person toward another person that torments, intimidates, harasses or is offensive to the child. This may involve name calling (including racial taunts) being put down or continual coldness from a parent, caregiver or person in a position of care and authority (such as teacher) to the extent that it affects the child's physical and emotional growth or wellbeing.

Grooming

Generally refers to behaviour that makes it easier for an offender to procure a child for sexual activity. For example, an offender might build a relationship of trust with the child, and then seek to sexualise that relationship (for example by encouraging romantic feelings or exposing the child to sexual concepts through pornography).

Online Grooming

The act of sending an electronic message with indecent content to a recipient who the sender believes to be under 16 years of age, with the intention of procuring the recipient to engage in or submit to sexual activity with another person, including but not necessarily the sender. For further details, refer to the *Criminal Code Act 1995*, Division 474 (telecommunications offences, subdivision C).

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

Legal obligations of Australians travelling overseas

It is a criminal offence for an Australian citizen, or a person who usually resides in Australia, to engage in sexual intercourse while outside Australia (sexual penetration to any extent of the vagina or anus of a person by any part of the body of another person (or an object)), or any act of indecency with a person who is under the age of 16. Sexual intercourse includes oral sexual contact. This includes inducing a person under 16 to commit, or be present while a third person commits an act of indecency.

It is illegal for Australians to engage in sexual intercourse with a child, in any country, regardless of the age of consent in that country. For the purposes of the IWDA Child Protection Policy and Code of Conduct sexual activity with a child under the age of 18 is prohibited.

Neglect

Neglect or negligent treatment is the failure by a parent or caregiver through inattention or deliberate omission to provide for the 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 well-being and development. All spheres such as health; education; emotional development; nutrition; shelter; supervision or care and safe living conditions are relevant. Neglect includes the failure to properly protect children from harm, to the extent that is feasible.

Physical abuse

This can occur when a person purposefully injures or threatens to injure a child or young person. Physical abuse can also include some forms of child labour. It may take the form of slapping, punching, shaking, kicking, burning, shoving or grabbing.

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.