



Child Protection Policy

Purpose

The Child Protection Policy aims to support Live and Learn Environmental Education (LLEE) in the protection of all children engaged in its programs and projects. This policy minimizes the risk of harm to children through the provision of guidelines and systems designed to:

- Raise child protection awareness
- Implement safeguards to prevent child abuse
- Report and promptly respond to incidents.

Policy

LLEE recognizes the significance of effectively addressing its 'duty of care' to guarantee the safety and protection of all children. LLEE as an international organisation is committed to ensuring that the principles of this policy are adopted taking into consideration local management frameworks and local legislative requirements.

LLEE has articulated the general principles that underpin its Child Protection Policy. These principles take into account the Department of Foreign Affairs and Trade's (DFAT) Child Protection Policy for the Australian Government's aid program, January 2017.

LLEE's child protection general principles are:

Respect and protection - all children deserve care, respect and protection. The best interest of the child is paramount.

Right to information - children and their families must always be informed about their rights to safety and well-being.

Human rights - children are entitled to basic human rights independent of needs, culture and socio-economic status. Australia is a signatory to the United Nations Convention on the Rights of the Child. LLEE is committed to upholding the rights and obligations of the convention. LLEE recognizes that some children, such as children with disabilities and children living in areas impacted by disasters (natural or conflict-based), are particularly vulnerable.

Empowerment - it is everyone's responsibility to promote children's capacity to act and speak up, giving them the control to participate in decision making when appropriate.

Cultural diversity - within the human rights framework, a person's cultural, racial and religious identity is acknowledged as fundamental to wellbeing.

Risk Management - LLEE believes that harm is preventable. LLEE understands that it is not possible to eliminate all risk of child abuse. However, it is LLEE's belief that careful management of risks prevents and reduces incidences of program/ project-related child abuse. LLEE will not knowingly engage, directly or indirectly, anyone who poses risk to children. All programs/ projects must meet DFAT and ACFID's child protection standards. LLEE actively manages risk of child abuse in its programs/ projects and trains its staff on their obligations.

Zero tolerance - Abusive behaviour is unacceptable. LLEE does not tolerate child abuse and the possession of, or access to, child pornography.

Shared Responsibility -Safety is the responsibility of everyone. Each person in the organisation has a moral and legal obligation to report suspected or confirmed acts that threaten or harm a child or a vulnerable adult such as, for example, a person with an intellectual disability. This obligation extends to project partners, consultants, and sub-contractors.

LLEE also adopts **intervention principles**. When responding to allegations or incidents the following principles apply:

The interest of the child is paramount -The interests of the child take precedence over those of the child's family or of other members of the community.

Child-focus intervention - Intervention is victim-focused with a view to ensuring safety and ongoing protection from violence and abuse.

Abuse is a crime - Assault and some other forms of abuse are criminal offences and are dealt with accordingly.

Confidentiality - Confidentiality of information is respected in accordance with professional ethics, internal policies and legal obligations. A child needs to be aware that staff, in carrying out duties, may under 'professional ethics' and 'legal obligations' to disclose information deemed to be essential to guarantee their safety and wellbeing.

Independent advocate -The desire of a person for an independent advocate of their own choice is respected.

Procedural Fairness - LLEE follows appropriate and clear processes resolve child protection matters. LLEE sub-contractors are required to adhere to this principle.

LLEE fosters a culture that recognises the rights and dignity of children through the promotion and protection of safe, trusting, reliable and supportive relationships between all involved in the aid and development work.

All involved in the delivery of aid and development supports must be aware of:

- The position of trust they hold
- The responsibility to protect children.

Everyone involved in LLEE activities including sub-contractors are required to comply with this policy.

Any threats to the safety of a child or vulnerable adult involved in LLEE' programs and projects must immediately be reported to the line manager using procedures outlined in this policy.

Scope

This policy applies to all LLEE's staff, volunteers, consultants, partners and sub-contractors both in Australia and overseas.

Procedures

To protect and maintain the safety of participants LLEE will establish and maintain systems and processes to create a safe environment, preventing abuse and acting expeditiously when intervention is required. This system will comprise of:

Risk Management Process

Risk identification and management is to be carried out in all programs/ projects and infrastructure support, including identification of risk at organisational and any sub-contracted service levels. Areas of concern are to be identified and a risk analysis will determine the magnitude and likelihood of occurrence and/or reoccurrence. Identified risks shall be evaluated using the Risk Assessment Log and a decision will be made as to whether the risk is, or is not, acceptable. Where there is a need to control risks, measures are to be implemented.

Risk identification and management will be regularly reviewed as part of a quality auditing process (e.g. monitoring visits).

Risk Assessment Log at Program / Project Level

The Risk Assessment Log involves mapping the following:

- The type of contact an organization/individual has with children
- What child protection measures are currently in place, and
- Identification of procedural gaps or disparities.

The Risk Assessment Log aims to identify risks to children and how these will be managed utilizing strategies developed to reduce or remove these risks.

- What are the practical details of the program?
- What could go wrong? (Risk)
- What is the likelihood of something going wrong? (Probability)
- What would the consequences be? (Impact)
- Risks are rated on a scale of Low (L) Medium (M) and High (H)

Risk Assessment at the Organizational Level

At the organizational level, the risk analysis assesses areas such as: likelihood of non-compliance, risk of systems and procedures failure, support and compliance from in-country partners, risks during emergencies and disasters and risks to organisation's reputation.

- Assessments are conducted using the Centralized Risk Matrix - Centralized list of risks across the various projects.
- Ensuring child safety with subcontracted work and partnership agreements.

- All contracts and Memorandum of Understanding (MOUs) established for the provision of services must clearly include LLEE's expectations regarding the active promotion and adoption of the Child Protection Policy.
- Reporting processes to resolve threats to safety and confirmed abuse cases must be stated in any contracts, MOU, and other agreements. Compliance with this policy will be observed through regular audits.

Child Protection Code of Conduct

LLEE's Child Protection Code of Conduct provides a clear guide on acceptable and unacceptable behaviour when working and interacting with children. It establishes a common understanding of the standards of behaviour and appropriate boundaries expected of staff and those in close contact with children and it promotes transparency and accountability.

LLEE's staff, volunteers, students and contractors will follow the organisation's code of conduct and adhere to the specific set of behaviour stated in it.

Child safe recruitment and selection practice

The recruitment process ensures employees, volunteers, students and contractors are compliant with the state and national legislation aimed at protecting children.

LLEE is committed to a recruitment process which utilizes child safe selection and screening practices including the following:

- promotion of LLEE in recruitment advertising as being committed to the wellbeing and safety of all children
- use of targeted interview questions to addressing child protection
- conducting verbal reference checks for job applicants prior to employment
- National Police Check (No exclusion) issued by the Australian Federal Police is mandatory for every person who will be in close contact with children either to perform his/her duties or due to the nature of the work environment. DFAT provides a detailed guidance on how to obtain a national criminal record checks. This resource is available on <http://dfat.gov.au/international-relations/themes/child-protection/Documents/Criminal%20Record%20Check.pdf> - Overseas offices are required to provide police checks in accordance with local laws
- request employees and volunteers' acknowledgement of the Child Protection Code of Conduct and signature prior to engagement
- archival of signed copies for audit purposes
- Criminal records checks will be current for all employees connected to a tender process with DFAT.
- criminal History and Police Checks are conducted for all staff, volunteers and consultants when working on behalf of LLEE in the field
- proof of identify, including birth certificate, passport, driver's license and relevant qualifications are to be presented, photocopied and filed prior to engagement.

Training and Induction on Child Protection Policy

LLEE's induction and orientation process will cover all aspects of the Child Protection Policy. In addition, all staff, volunteers, students and contractors are to receive formal training and refresher courses regarding abuse awareness, protection of participants and current legislative environment. The trainer is responsible for updating the training material is to be updated on a needs basis. Training schedules are to be produced and published to all staff and partners. The Child Protection Policy is to be part of the

'overseas deployment brief'. Attendance to training is to be documented and filed. Training delivery is monitored through internal audits.

Staff Support, Supervision and Performance Management

LLEE is committed to providing support and managing performance of its staff, volunteers, students and contractors. This means equipping them with the ability to perform in the best possible way through a clear outline of expectations about roles and responsibilities. This includes statements on Position Descriptions and contracts about expectations regarding child protection, the maintenance of a safe organisation environment, as well as a clear process to address disciplinary and grievance procedures.

All staff and volunteers are required to adhere to the Child Protection Policy. Failure to comply will result in an internal investigation undertaken by the Executive Director and the Board of Governance. Non-compliance will lead to immediate dismissal

Child Protection Policy dissemination to program participants and families

Participants and families, at point of entry into activities, shall be notified of LLEE's Child Protection Policy. A copy of the policy must be available upon request.

Biannual reviews and evaluation of procedures following incidents

LLEE quality system will coordinate, monitor, and evaluate responses to threats to safety, and to actual abuse cases, which demonstrate LLEE's commitment to promptly respond to situations that threaten the safety of participants in its programs and projects.

Protection of children on LLEE's communication tools: *use of children's images*

As signatory to ACFID Code of Conduct and delivery partner on DFAT funded projects, LLEE endorses and adheres to DFAT Child Protection Policy and ACFID's Code of Conduct guidelines on the use of children's images (ACFID Code of Conduct, Clause 4.2). LLEE will:

- Always portray a child in a dignified and respectful manner and not in a vulnerable or submissive way. Children shall be adequately clothed and not in poses that could be seen as sexually suggestive
- Ask for a child and his/her family for consent when using their images. When asking for consent to use the image, details shall be given as to how and where this image will be used
- Take care when publishing children's image in publications. Images will be de-identified (names and locations not provided)
- portray children as part of their community
- assess local cultural traditions regarding restrictions for reproducing personal images
- provide an honest representation of the context and the facts
- label electronic files respectfully and without identifying information, and
- Screen photographers for their suitability, including carrying out police checks.

LLEE's staff, students, volunteers are required to read and confirm agreement to the Code of Conduct.

Regular Review

This Child Protection Policy shall be reviewed at a least every two years to adapt to changes in each country where a program/ project is located. Amendments and updates may be made at any time within this period upon stakeholders' consultation, approval from the local board and the Executive Director.

Complaints Resolution process

The Complaints Resolution process will be clearly stated at the entry point into the program/ project. The outline of the complaint resolution process will be reviewed prior to activity commencement. Reiteration of the Complaints Resolution process and users' rights and responsibilities are to be carried out during regular activity reviews.

It is the responsibility of the Country Manager or the equivalent position as well as the Executive Director to ensure that the Child Protection Policy is adhered to by all LLEE' staff, volunteers, consultants and advisors.

Child abuse investigations outside Australia will comply with local laws and penalties.

The following complaints management guidelines shall be immediately put into action in the event of a complaint/suspicion/incident involving the safety, health and welfare of a child:

Report the Incident: Any incident, belief or suspicion of any form of physical or mental violence, injury or abuse, maltreatment or exploitation, including sexual abuse (past or present), by LLEE employee (full-time, part-time, casual), partner, sponsor, donor, volunteer, Board of Governance member or other related person must be reported immediately to line manager, the Executive Director or a Board of Governance member.

Distance the alleged perpetrator: If a child/young person reports an incident to you, the child/young person must be taken seriously and listened to carefully. At no time shall the child be returned to the environment where the alleged abuse occurred or be in contact with the perpetrator.

The best interests of the child/young person may warrant the standing down of a staff member, volunteer or contractor while an investigation commences. Staff members stood down receives full pay and are entitled to a just process that does not pre-suppose guilt or innocence.

The Executive Director or Board Member immediately notifies DFAT's Child Protection Compliance Section on 61 2 6178 5100 or childprotection@dfat.gov.au

Document the incident: As soon as possible (within a period of 24 hours of the disclosure), the notifying staff member must have fully documented the allegation, including the time, place and witnesses.

The allegations will not be discussed or communicated to other people until those allegations have been considered and a decision made by management.

All documentation including decisions made must be documented and filed.

Confidentiality: All cases of child abuse, whether alleged or proven, will be handled with the utmost confidentiality. When concerns arise, all participants will be directed through a formal complaints process involving the Executive Director.

Allegations made in Australia: If the incident has occurred in Australia, the Executive Director or the Board of Governance may contact the police (depending on the nature of the incident) to investigate the allegation.

Reporting allegations of physical/ sexual abuse to police: All allegations of physical or sexual assault in Australia must be reported to the police, whether or not the victim has consented to the matter being reported.

Reporting of allegations in countries other than Australia will take into account the possibility of victimization of the child by police, and the way that justice might be applied by the local police/ laws. The best interest of the child will prevail.

Family: The family of the child shall be informed of the allegation and action proposed. Where possible, they shall be consulted on the process to be followed.

Allegations made overseas: Any allegation or incident which involves any staff member, volunteer, donor or any other person representing LLEE while travelling overseas must be reported to the Regional Director or Country Manager or to a person in an equivalent position as well as report to the Executive Director and/or Board of Governance in Australia.

Any matter so advised must be confirmed in writing. The overseas Regional Director and or Country Manager in which the allegation is made is responsible for liaison with LLEE Australia and will follow that country's legislative or internal procedures to investigate and address the allegations.

All LLEE offices will have up to date contact details of:

- Local police and child protection statutory authorities
- Child welfare support agencies such as counselling, medical services, legal support and so on, and
- Other organizations to draw on for advice or support.

Roles and Responsibilities

Executive Director:

- reviews and monitors the leadership and commitment given to the protection of children through active promotion of the organization's Legislative Compliance Policy
- reviews compliance management objectives and plans for compliance with applicable laws and regulations
- monitors compliance performance by way of periodic management reports and assurances, and
- communicate to DFAT notifications of child exploitation or abuse.

Senior Managers (Regional Director, Country Manager, Program Manager, Project Manager):

- prepares compliance objectives and plans for review and consideration by the Board of Governance
- monitors performance against legislative compliance objectives and plans, and reports to the Board of Governance on progress toward accomplishment of objectives
- where appropriate, delegates responsibility for compliance to officers with responsibility for particular sections, and
- identifies opportunities to improve LLEE's approach to these issues in the planning, implementation and review of its projects.

Program / Project Manager:

- monitor program/ project's policy compliance
- report on compliance
- where appropriate, delegate responsibility for compliance to officers with responsibility for particular program/project actions
- ensure established systems and procedures which make the policy effective are operational
- ensure staff and partners are trained in the necessary knowledge and understanding to perform their duties in compliance with the policy and all relevant requirements
- ensure that significant compliance responsibilities and accountabilities are included in position descriptions and performance reviews
- report and investigate any incident or occurrence thought, or known, to constitute a breach of compliance requirements, and
- design and implement system enhancements to correct weaknesses that could result in a breach of compliance requirements.

Staff at all levels

- ensure that they are aware of the legal requirements that apply to their work activities and that they comply with them
- ensure that they are aware of the Child Protection Policy requirements and comply with them
- report all incidents of breaches of legal and organizational policy requirements, and
- where appropriate suggest ways in which practices, systems and procedures could be improved so as to reduce the likelihood of a breach occurring.

Related Documents

- Risk Management Policy and Matrices
- LLEE Child Protection Code of Conduct
- Complaints Handling Policy

- Recruitment Policy
- Performance Appraisal Policy
- Induction Policy
- Training Policy
- Volunteer Policy
- ACFID Code of Conduct <https://acfid.asn.au/code-of-conduct>
- DFAT Child Protection Policy <http://dfat.gov.au/about-us/publications/Pages/child-protection-policy.aspx>
- The United Nations Convention on the Human Rights of the Child (www.unicef.org/crc)
- Optional Protocol to the United Nations Convention on the Rights of the Child on the sale of children, child prostitution and child pornography
<http://www.ohchr.org/EN/ProfessionalInterest/Pages/OPSCCRC.aspx>
- Optional Protocol to the United Nations Convention on the Rights of the Child on the involvement of children in armed conflict <https://childrenandarmedconflict.un.org/mandate/opac/>
- Geneva Declaration of the Rights of the Child [https://www.unicef.org/vietnam/01 -
_Declaration_of_Geneva_1924.PDF](https://www.unicef.org/vietnam/01_-_Declaration_of_Geneva_1924.PDF)

International Labour Convention 182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour

http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C182