

Child Safeguarding and Protection from Sexual Exploitation and Abuse Policy (CS&PSEA Policy)

1. Policy Statement

UNICEF Australia (UA) acknowledges the reality and gravity of abuse and exploitation of children and project stakeholders by professionals within humanitarian and development agencies. UA recognizes that several contributing factors may increase the risk or severity of such occurrences, particularly when they intersect. These include but are not limited to:

- **Power differentials and imbalances:** such as disparities between adults and children, men and women, organisational staff and project stakeholders, authorities and community members, majority and minority groups, senior and junior staff.
- **Gender inequality:** particularly in relation to sexual exploitation and abuse (SEA), discrimination, preferential treatment and barriers to accessing opportunities.
- **Harmful norms and attitudes or cultural/traditional beliefs:** which undermine human rights, child rights, gender equality, disability, inclusion, and equity.
- **The nature of development and humanitarian initiatives:** where family or community protection structures may become weak or collapse; strong power imbalances may exist between development/humanitarian workers and beneficiaries; and stressful and demanding working conditions may exacerbate personal or communal dynamics and tensions.
- **Positions of trust and influence held by humanitarian/development personnel:** This trust may be exploited by ill-intentioned individuals seeking access to vulnerable populations, including children (alarmingly, it is not uncommon for sex offenders to seek employment or volunteer opportunities within UN agencies or NGOs to exploit this power dynamic).
- **Organisational limitations:** such as insufficient awareness of risks and their causes, absence or inadequacy of internal protocols to prevent and respond to abuse, recruitment of staff lacking appropriate values or attitudes, or a weak organisational culture regarding stakeholder safety and tolerance to abuse.

UNICEF's commitment to safeguarding children and adults in its programmes and operations across the world is reflected in its global ***Policy on Safeguarding (POLICY/DAPM/2024/001)*** which establishes robust preventive and response measures designed to mitigate risks of abuse and exploitation, including SEA.

In alignment with the global UNICEF mandate, UA has a **zero-tolerance** approach to abuse and exploitation and integrates a comprehensive framework of preventive and responsive measures that prioritise 'child safeguarding and protection from sexual exploitation and abuse' (CS&PSEA) as organisational imperatives, fostering shared accountability among its staff, associates and partners both domestically and internationally.

2. Purpose

The purpose of this Policy is to establish a set of internal **preventative** and **responsive** principles and approaches to:

1. **Safeguard children, project participants and other stakeholders UA comes into contact with (directly or indirectly)**: by minimising the risk of all forms of *intentional* or *unintentional* harm, abuse and exploitation of children and SEA of adults within UA and UA-supported/funded/endorsed programs and activities, and adequately responding in the event that harm and abuse occur.
2. **Safeguard staff and associates**: by (a) avoiding ambiguous situations and behaviours in the workplace and in UA and UA-supported/funded/endorsed programs and activities, which may be misinterpreted and potentially lead to false allegations against UA's People; (b) minimising the risk of SEA against UA staff and associates by project participants or other stakeholders within UA and UA-supported/funded/endorsed programs and activities.
3. **Safeguard UA**: by showing its genuine commitment to CS&PSEA and preventing cases of abuse from happening, UA protects its reputation and maintains supporter confidence and funding stability.

3. Guiding Principles

UA's commitment to CS&PSEA is guided by the following principles:

- **Zero tolerance of abuse and exploitation**: UA does not tolerate abuse and exploitation of any form by anyone who works for or is associated with UA in any capacity.
- **Non-discrimination**: UA is committed to safeguarding children and project participants in its programs and activities and the programs it supports/funds/endorsees regardless of their age, nationality, race, sex, gender, sexuality, sexual orientation, culture, ethnicity, indigeneity, language, religious or political belief, socio-economic status, family or criminal background, disability, physical or mental health, displacement, or any other status.
- **Alignment with international and national standards**: UA's CS&PSEA approach is informed by Australian legislation and international standards, including international conventions and protocols, as well as UNICEF, ACFID and DFAT guidance and requirements.
- **Shared responsibility**: UA considers CS&PSEA to be a shared responsibility, expecting all UA's staff and associates, implementing partners in Australia and abroad (including downstream implementing partners and sub-contractors) and visitors to be committed to, and uphold the principles of this Policy.
- **Acceptance of risks**: It is important that as an organisation, UA accepts that abuse and exploitation of children and project participants may happen within its programs/activities and the programs/activities it supports/funds/endorsees (acknowledging that they are often 'hidden' and under-reported phenomena due to fear, stigma, discrimination, cultural

norms or other sensitivities). Acknowledging risk is the first important step in order to take action and prevent abuse and harm from happening.

- **Confidentiality, safety and fairness:** All matters raised and dealt with under this Policy will be kept as confidential as possible, with information being shared exclusively on a *need-to-know basis* (noting UA’s obligation to possibly share details to law enforcement during criminal proceedings or investigations), ensuring the safety of all involved (survivors, witnesses, alleged perpetrators and reporters), while providing procedural fairness and due process to all parties.
- **The best interest of the child and survivor centred approach:** in line with the *Convention on the Rights of the Child*, UA considers the best interest of the child as paramount at all times. Additionally, UA takes a ‘do no harm’ approach, prioritising the rights, needs and wishes of the survivor, and focusing on the impacts to the survivor rather than the intent of the perpetrator.
- **Accountability and transparency:** UA has systems in place to document, monitor and report on the implementation of this Policy, as well as mechanisms to ensure that UA’s staff and associates are committed to, and are undertaking their CS&PSEA roles and responsibilities to the best of their capacity.

4. Application

This Policy applies to:

- **All staff and associates of UA**, full time or part time, temporary or long-term, consultants, interns, volunteers, secondees, Board members and any other person associated or working under contract with UA in any capacity, (referred to as “**UA staff and associates**”).
- **UA implementing partners and contractors in Australia and abroad (including downstream implementing partners/sub-contractors)**, if their UA-supported/funded/endorsed program or activity involves direct or indirect contact with children and/or communities.
- **All visitors to UA or UA-supported/funded/endorsed programs or activities** (including those conducted by implementing partners and contractors in Australia and abroad, and/or downstream implementing partners/sub-contractors), such as donors, supporters, ambassadors, or any other person visiting UA or UA-supported/funded/endorsed programs or activities for any purpose (referred to as “**visitors**”).

5. Responsibilities

The UA Board is responsible for ensuring CS&PSEA, and associated risks, remain a priority across the organisation. The UA Board nominates a *CS&PSEA Champion* among its members, who ensures CS&PSEA is promoted and remains on the Board agenda, and constitutes a reference point for advice and guidance for UA’s CS&PSEA Leads. The UA Board also reviews and approves any material changes to this Policy and always considers the guiding principles of this Policy in decision making.

The ELT is accountable for setting the tone from the top, championing good practice and creating an organisational culture that prioritises CS&PSEA. The ELT is also responsible for ensuring this Policy is reviewed and updated every three years (or at any other time, if required). ELT is also responsible for ensuring compliance with UA's external CS&PSEA obligations, including legislative and related to ACFID and DFAT obligations, and partnership requirements.

All UA People are responsible for abiding by UA's CS&PSEA policies and procedures at all times and through their commitment and behaviours, actively contributing to a strong CS&PSEA organisational culture.

The Director of International Programs is responsible for:

- a) ensuring relevant CS&PSEA incidents in DFAT-supported programs are reported immediately to DFAT in line with UA's obligations, respecting the principles of confidentiality, accountability, transparency and best interest of the child; and
- b) communicating this Policy with relevant UNICEF partner Country Offices and assessing their implementation of UNICEF Safeguarding procedures in line with this Policy. The International Programs Team will offer support to UNICEF partner Country Offices to strengthen CS&PSEA procedures as requested.

The Chief Advocate for Children is responsible for:

- a) communicating this Policy to relevant program/activity partners in Australia which UA funds, supports, endorses or conducts joint programs/activities with; and
- b) ensuring that the terms under which those relevant program/activity partners are engaged oblige the partner:
 - i) to comply with appropriate CS&PSEA systems in line with national standards and UA requirements; or
 - ii) to work with UA on a mutually agreed strategy and plan to ensure CS&PSEA is adequately taken into consideration in the partner's UA funded, supported, endorsed or jointly implemented program or activity.

The Director of People and Technology is responsible for ensuring recruitment processes (including induction and training) for UA's staff and associates are aligned with national and international CS&PSEA best practice and standards and aim at employing and retaining staff and associates with the appropriate skills and attitude to work in a child-focused organisation, and ensuring they maintain a solid knowledge and understanding of CS&PSEA and their relate responsibilities.

The Child Safeguarding & PSEA Committee (which is a sub-committee delegated by the Executive Leadership Team, comprising the CS&PSEA Lead, the Director of People & Technology, and one CS&PSEA Focal Point from each UA team/department - see below) serves to strengthen the consistency of understanding and application of this Policy and related CS&PSEA procedures and protocols across the organisation and each department. The CS&PSEA Committee also supports the *Director of People and Technology* and the *CS&PSEA Lead* to develop or adjust CS&PSEA protocols, guidance and tools, as well as advise on relevant CS&PSEA strategies and procedural adjustments. Any significant or material changes to procedures are presented to the ELT for approval.

Child Safeguarding & PSEA Lead(s), who are nominated by the CEO, are responsible for steering and coordinating the *Child Safeguarding & PSEA Committee* and leading the development and implementation of UA's CS&PSEA strategy and work across the Organisation, including the drafting and adjustment of this Policy and related procedures, protocols and guidelines. The CS&PSEA Leads also advise the ELT and the Board on CS&PSEA matters and risks, and regularly liaise with the Board on CS&PSEA (through its *Governance, Remuneration and Ethics Committee*) to provide updates, receive guidance and seek approval for materials adjustments to this Policy or to UA's CS&PSEA strategy.

Child Safeguarding & PSEA Focal Points (one nominated in each UA team/department) assist the Child Safeguarding & PSEA Lead(s), as required, and are part of the CS&PSEA Committee, especially supporting its function to ensure consistency of application of CS&PSEA across their respective teams/departments. They also constitute a reference point for their teams/department on CS&PSEA and an additional avenue for staff and associates to immediately (and verbally) report child safeguarding incidents or breaches.

Executive Child Safeguarding & PSEA Team comprises of the Chief Executive Officer (CEO), the Chair of the Board and the Director of People and Technology, who nominate two members of the ELT, the Child Safeguarding & PSEA Lead(s) or any of the *Child Safeguarding & PSEA Focal Points* to join, based on the specificity of a situation or case. The *Executive Child Safeguarding & PSEA Team* serves as the overall guarantor of the Child Safeguarding and PSEA Policies and convene on an annual basis, or an urgent basis in the event of a child safeguarding or SEA incident or severe breach of the Child Safeguarding or PSEA ,Policies.

6. Implementation

Implementation of this Policy is achieved through the following approaches and mechanisms, which are further detailed in the *Child Safeguarding & PSEA Implementation Procedures*:

- **Recruitment and screening of staff and associates (including consultants):** UA incorporates CS&PSEA principles and practice into all recruitment and screening of staff, consultants and volunteers, including, but not limited to, background and referee checks, working with children checks, reiteration of UA's CS&PSEA commitment in job advertisements and throughout the recruitment/screening process, as well as tailored safeguarding interview and referee questions for all staff and associates in higher risks roles.
- **A Code of Conduct:** UA adopts a *Child Safeguarding & PSEA Code of Conduct* which includes obligations and expected behaviours, and is signed by and applies to all UA staff and associates, consultants working in direct or indirect contact with children and/or communities, and visitors to UA or UA-supported/funded/endorsed programs or activities. Implementing partners and sub-contractors of services or supplies in Australia and abroad (including downstream implementing partners/sub-contractors) working on UA-supported/funded programs/activities or services are required to have a Code of Conduct

with similar standards or comply with UA's *Child Safeguarding & PSEA Code of Conduct* if their work or services involve direct or indirect contact with children and/or communities.

- **Risk assessment and management:** UA integrates CS&PSEA into organisational, programmatic and activity-based risk assessment processes and ensures that appropriate mitigation strategies are in place for any identified CS&PSEA-related risks. UA also requires implementing partners and sub- contractors of services or supplies in Australia and abroad (including downstream implementing partners/sub-contractors) to conduct, or jointly conduct with UA, a CS&PSEA risk management assessment in relation to their project, program or activity or their supply of goods or services if it involves direct or indirect contact with children and/or communities.
- **Incident reporting:** UA has an accessible, safe, confidential and robust internal mechanism to report CS&PSEA incidents or breaches of this Policy, UA's *CS&PSEA Code of Conduct* and UA's *CS&PSEA Implementation Procedures*. Internal reporting is mandatory for all staff, associates (including consultants), implementing partners and sub-contractors of services or supplies in Australia and abroad (including downstream implementing partners/sub-contractors), and UA complies with relevant on-reporting obligations to law enforcement agencies, as appropriate, and immediate on-reporting to DFAT and ACFID.

In line with its survivor-centred approach, before referring a case to local authorities and/or relevant services, UA ensures to respect the right of a person, including children, to freely choose, through an informed consent process (involving, in the case of children, also parents/caregivers), which type of support services they wish to access or to decline services entirely. In exceptional cases, UA may need to refer cases – even without the survivor's informed consent – when there are immediate safety concerns for the survivor or others, or when UA is required by law (for example, in the case of a criminal offence).

- **Training:** UA provides onboarding and regular training to staff on child safeguarding, PSEA, this Policy, UA's *CS&PSEA Code of Conduct*, and UA's *CS&PSEA Implementation Procedures*, with special focus on principles and standards of behaviour, roles and responsibilities, and incident reporting procedures. UA also provides CS&PSEA training and/or briefings to visitors to UA-supported or funded programs/activities, as well as to consultants working in direct or indirect contact with children and/or communities. UA may also conduct CS&PSEA briefings for implementing partners and sub-contractors, as required.
- **Acting on incidents/breaches:** UA adopts a robust system to act on reports of CS&PSEA incidents and breaches by staff, associates (including consultants), implementing partners and sub-contractors of services or supplies in Australia and abroad (including downstream implementing partners/sub-contractors), which ensures the best interest of the child at all times, and guarantees the confidentiality and safety of all those involved (survivor, witness, alleged or actual perpetrator, and reporter). The response system includes relevant investigation protocols, clear responsibilities and accountabilities and appropriate disciplinary actions proportionate to the severity of the incident or breach (which are further defined in the *Child Safeguarding & PSEA Implementation Procedures*).

- Working with implementing partners and sub-contractors of services and supplies:** UA requires implementing partners and sub-contractors of services and supplies in Australia and abroad (including downstream implementing partners/sub-contractors) to have CS&PSEA systems of comparable standards to UA or alternatively work with UA on a mutually agreed and timebound *Action Plan* or strategy to ensure CS&PSEA is adequately taken into consideration in their program, or activity implemented on behalf of or endorsed by UA or in their supply of goods or services to UA, if it involves direct or indirect contact with children and/or communities (in all cases, this involves a CS&PSEA risk assessment and, when relevant, may include signing and abiding by UA's *CS&PSEA Code of Conduct* and/or other CS&PSEA procedures or standards). UA's template Program and Supplier Agreements provide users with an option of incorporating that CS&PSEA Code of Conduct and other UA CS&PSEA procedures or standards, with compliance being regularly assessed.
- Visitors to UA or UA-supported programs:** UA has specific CS&PSEA procedures and requirements which apply to all visits by external parties that it organises/arranges to UA or UA-supported/funded/endorsed programs or activities (including of implementing partners and contractors in Australia and abroad, and downstream implementing partners/sub-contractors), which include, but are not limited to, requiring visitors to undergo background checks, receive a pre-departure CS&PSEA briefing and sign and abide by UA's *Child Safeguarding & PSEA Code of Conduct*. UA also conducts a CS&PSEA risk assessment of the program visit or activity, with relevant additional risk mitigation strategies, as required.

7. Review

Version	Date	Comments	Author/s	Approved By	Review Date
V1	June 2018		Adrian De Giovanni	EMT & UA Board	May 2020
V2	May 2020		Adrian De Giovanni & Vivien Wong	ELT & UA Board	May 2023
V3	March 2022	Minor changes	Adrian De Giovanni	Programs Committee	May 2023
V4	April 2024	Minor changes	Adrian De Giovanni	ELT	April 2027
V5	July 2025		Adrian De Giovanni	UA Board	July 2028

Annex 1: Definitions

What UA intends by:

- **Child:** UA uses the UN Convention on the Rights of the Child definition of a child, which is any person under the age of 18.
- **Child Abuse:** the deliberate act of ill-treatment that can harm or is likely to cause harm to a child's safety, wellbeing, dignity and development. Abuse includes all forms of physical, sexual, psychological or emotional ill treatment.
- **Child Protection:** programs, measures and structures to prevent and respond to abuse, exploitation, neglect and violence affecting children in all sectors, contexts and environment (*essentially, the work conducted within UA and UNICEF's child protection programs around the world*).
- **Child Safeguarding:** the *duty of care* and responsibility of private and public organisations to adopt preventative and responsive systems, policies and practices to safeguard from harm and abuse all the children they come into direct and indirect contact with in their day-to-day operations and work (*essentially, the focus of this Policy*).
- **Direct Contact with Children or Vulnerable Individuals:** engagement in any program or activity which:
 - a) ***Involves working with children or vulnerable groups*** (for example activities in schools, shelters for survivors of abuse, mental health institutions, marginalized communities, but also campaigns or events involving children or vulnerable groups)
 - b) ***does not necessarily target children or vulnerable individuals, but may involve either secondary, occasional or incidental contact with children or vulnerable individuals*** – this usually occurs when working in a community or with the public (for example, conducting an awareness raising or other event in a community; conducting interviews in communities or households; distributing materials in communities; conducting a photo-shoot in of a community event for communications purposes; monitoring activities in communities).
- **Emotional or Psychological Abuse:** includes humiliating and degrading treatment (such as bad name-calling, constant criticism, belittling, persistent shaming, solitary confinement and isolation), as well as a parent, guardian or caregiver's inappropriate verbal and symbolic acts toward a child or a pattern of failure over time to provide a child with adequate non-physical nurture and emotional availability.
- **Exploitation:** refers to the use of children for someone else's advantage, gratification or profit often resulting in unjust, cruel and harmful treatment of the child. These activities are to the detriment of the child's physical and mental health, education, moral and social-emotional development. Examples include child labour, prostitution, trafficking, forced begging or performances to solicit money.

- **Indirect Contact with Children or Vulnerable Individuals:** This form of contact is the hardest to detect since it usually occurs with staff who may never visit the field or communities or directly work on programs, but whose role may involve:
 - a) ***communicating online or via other remote channels with children and vulnerable groups*** (for example, social media, email, Skype, Instagram, Facebook, phone or similar) - which may open up the possibility of grooming and luring, or even online abuse.
 - b) ***accessing personal information and details of families and children*** (name, age, photos, location, etc) which they obtain directly from field staff or via other communication channels (such email, databases, unsecure files, etc) - these staff are in a position to expose children and vulnerable individuals to risks (even unintentionally or inadvertently), by giving out confidential information to third parties, including media, authorities or similar, or using that information inappropriately or to access children or vulnerable individuals;
 - c) ***sharing or posting images, videos or other content of children and vulnerable groups*** in publications or online (usually Communications or Fundraising teams) - which may place the subjects at risk of abuse, exploitation, retaliation, bullying, discrimination, stigma or similar (often unwillingly or unknowingly, and resulting from for reasons or dynamics beyond the knowledge/understanding of the publisher)
 - d) ***developing or enforcing policies and procedures or making strategic decisions which may indirectly affect children or vulnerable individuals*** (such as program/operations management and executive level staff) - for example policies and procedures in the area of child safeguarding, privacy, staff conduct, use of social media, etc.
- **Neglect:** Deliberately, or through carelessness or negligence, failing to provide for, or secure for a child, their rights to physical and emotional safety and development.
- **Physical Abuse:** involves the use of violent physical force so as to cause actual or likely physical injury or suffering (eg hitting, shaking, punching, kicking, biting, slapping, strangling, burning, female genital mutilation, torture).
- **Protection from Sexual Abuse and Exploitation:** the *duty of care* and responsibility of private and public organisations to adopt preventative and responsive systems, policies and practices to safeguard the beneficiaries and community members involved in UA programs/projects/activities; UA's staff and associates, implementing partners and contractors, and visitors; and UA as an organisation from sexual abuse and exploitation.
- **Sexual Abuse:** includes all forms of sexual violence including rape, vaginal and anal penetration, as well as fondling or touching genitals, masturbation, oral sex, involvement in or exposure to pornography and sexual slavery, voyeurism, exhibitionism and using sexually explicit language towards a child. The actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. It covers all forms of sexual violence including but not limited to: rape and attempted rape (which includes attempts to force someone to perform oral sex), sexual assault (which includes non-consensual kissing and touching), involvement in or exposure to pornography and sexual slavery, voyeurism, exhibitionism and using sexually explicit language. All sexual activity with a child (anyone under the age of 18) is considered to be sexual abuse.

- **UA implementing partners and contractors (including downstream implementing partners/contractors):** any individual entity (government, multi-lateral, non-governmental, community-based or other) under contract with or funded/supported by UA for the purpose to conduct programs/projects/activities in Australia or abroad on behalf of or endorsed by UA, as well as their partners and contractors (i.e. UA's downstream partners/contractors). UA's primary implementing partners abroad are UNICEF Partner Country Offices (see definition below).
- **UA staff and associates (including consultants):** anyone working for UA, full time or part time, temporary or long-term, including, consultants, interns, volunteers, secondees, Board members and any other person associated or working under contract with UA in any capacity.
- **UNICEF Partner Country Office:** A UNICEF Country Office with whom UNICEF Australia holds a signed Letter of Acknowledgement and a minimum of one active Directly Supported Program. These are UNICEF Australia's primary implementing partners abroad.
- **Violence:** The intentional use of physical force or power, threatened or actual, against a child, by an individual or group, that either results in or has a high likelihood of resulting in actual or potential harm to the child's health, survival, development or dignity. Violence can be committed by individuals or by the State as well as group and organisations through their members and policies. It results not only in fear of/or actual injury but also in fundamental interference with personal freedom and child's physical and emotional development.
- **Visitor:** any individual visiting, for any purpose, UA or UA-supported programs and activities conducted by partners (including outside Australia), such as donors, supporters, ambassadors, journalists or similar.
- **Working with Children:** engagement in any program or activity which specifically targets or offers direct services for children or where the contact with children is reasonably expected as a normal part and not incidental (for example, setting up and administering schools, training or awareness raising for children, conducting consultations with children)

Annex 2: Supporting Documents

2.1 Policy & Procedure Linkages

This policy should be read in conjunction with the following UA policies and related procedures:

- Child Safeguarding and PSEA Code of Conduct
- Child Safeguarding & PSEA Implementation Procedures
- Guidance Notes on Online and Social Media Activities
- Implementation Procedures on Taking and Using Images
- Guidance Note on Informed Consent When Taking and Using Images and Content
- Equal Opportunity, Anti-Discrimination, Harassment and Bullying Policy
- Whistleblowing Policy
- Complaints Policy
- Recruitment Policy
- Country Office Partnership Policy
- UA Code of Conduct
- Social Media Policy
- Internal Complaints and Staff Grievance Policy