

Child Safeguarding Policy (UA)

1. Review

Review of this policy will occur every	3 years
Approval Level Required of amendments to this policy by	Board
Policy Owner	Director of People and Technology
Required on Website?	Yes

VERSION LOG

Note: *Where amendments are only approved by ELT and not in line with Approval Level noted in the table above because the nature of the amendment is minor, the existing Next Review Due Date must be retained to ensure review occurs by the appropriate Approval Level.

Version	Author/s	Approved By*	Approval Date	Next Review Due	Comments
V1	Programs	Board	June 2018	May 2020	
V2	Programs	Board	May 2020	May 2023	
V3	Programs	Programs Committee	Mar 2022	May 2024	Minor revisions

2. Policy Statement

The abuse and exploitation of children by humanitarian and development professionals is a real and concerning phenomenon. UNICEF Australia (UA) recognises that staff of humanitarian/development agencies and NGOs attain a position of trust and influence in communities, which ill-intentioned individuals may use to gain access to children. In fact, it is not uncommon for child sex offenders to seek employment or volunteer placements with UN agencies or NGOs for this specific purpose. UA also acknowledges that staff of humanitarian/development agencies and NGOs may sometimes unintentionally harm children, due to limited awareness of risks; cultural, customary or traditional beliefs; poor or absent internal organisational guidance to prevent and respond to child abuse; and in some cases, simply because they do not possess the right attitude or values to work in contact with children.

UNICEF's commitment to safeguarding children is reflected in its global *Policy on Conduct Promoting the Protection and Safeguarding of Children* (CF/EXD/2016-006), which establishes internal measures to prevent and respond to child abuse and exploitation in its programmes and operations across the world. UNICEF's Executive Director further reiterated the Agency's commitment to child safeguarding in a public statement in early 2018, defining it as "an issue at the top of the agenda".

As part of the global UNICEF alliance, UNICEF Australia (UA) also takes its *duty of care* to safeguarding children very seriously and has a *zero-tolerance* approach to child abuse and exploitation. Acknowledging the existence of possible risks for children in its operations and work, UA adopts a series of *preventative* and *responsive* measures which make child safeguarding an organisational priority and a shared responsibility for staff and associates, visitors and implementing partners and contractors in Australia and abroad (including downstream implementing partners/contractors).

UNICEF Australia Child Safeguarding Policy

These measures (including practical guidance for UA staff, associates, implementing partners and contractors) are further articulated in UA's *Child Safeguarding & PSEA Code of Conduct* and UA's *Child Safeguarding & PSEA Implementation Procedures*.

UA makes it mandatory for its staff and associates to report witnessed or alleged child safeguarding incidents and breaches of this Policy, UA's *Child Safeguarding & PSEA Code of Conduct*, and/or UA's *Child Safeguarding & PSEA Implementation Procedures*. UA commits to responding to such reports and incidents in an effective, confidential and timely manner, focusing on the safety, well-being and best interest of the child as the prime consideration.

UA staff and associates, implementing partners and contractors in Australia and abroad (including downstream implementing partners/contractors) who commit child abuse or exploitation in UA or UA-supported/funded programs, or breach this Policy, UA's *Child Safeguarding & PSEA Code of Conduct* and/or UA's *Child Safeguarding & PSEA Implementation Procedures* may incur disciplinary measures proportioned to the severity of the breach/incident, which may include dismissal, termination of partner/contractual agreements, and/or referral to law enforcement agencies.

3. Purpose

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

1. **Safeguard children:** by minimising the risk of *intentional* or *unintentional* harm, abuse and exploitation of children within UA and UA-supported/funded programs, and adequately responding in the event that harm and abuse occur.
2. **Safeguard staff:** by avoiding ambiguous situations and behaviours in the workplace and in UA and UA-supported/funded programs, which may be misinterpreted and potentially lead to false allegations against UA staff and associates.
3. **Safeguard UA:** by showing its genuine commitment to safeguarding children and preventing cases of abuse from happening, UA protects its reputation and maintains supporter confidence and funding stability.

4. Guiding Principles

UA's commitment to child safeguarding is guided by the following principles:

- **Zero tolerance of child abuse:** UA does not tolerate child abuse of any form by anyone who works for or is associated with the Organisation in any capacity.
- **Non-discrimination:** UA is committed to safeguarding children in its programs and the programs it supports/funds 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.
- **Shared responsibility:** UA considers child safeguarding to be a shared responsibility, expecting all UA staff, associates, implementing partners and contractors in Australia and abroad (including downstream implementing partners/contractors) and visitors to be committed to, and uphold the principles of this Policy.

- **Acceptance of risks for children:** It is important that as an Organisation, UA accepts that child abuse may happen within its programs and the programs it supports/funds (acknowledging that child abuse is often a ‘hidden’ and under-reported phenomenon due to fear, stigma, discrimination, cultural norms or other sensitivities). The acceptance that child abuse happens is the first important step in order to take action and prevent it.
- **Confidentiality, safety and best interest of the child:** 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*), ensuring the safety of all involved (survivors, witnesses, alleged perpetrators and reporters) and the best interest of the child at all times.
- **Accountability:** UA has systems in place to document, monitor and report on the implementation of this Policy, as well as mechanisms to ensure that management and staff are committed to, and are undertaking their child safeguarding roles and responsibilities to the best of their capacity.

5. Application

This Policy applies to:

- **All staff and associates of 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 (referred to as “**UA staff and associates**”).
- **UA implementing partners and contractors in Australia and abroad (including downstream implementing partners/contractors)**, if their UA-supported/funded program involves direct or indirect contact with children, communities and/or vulnerable/marginalised populations or individuals.
- **All visitors to UA or UA-supported/funded programs** (including those conducted by implementing partners or contractors in Australia and abroad, and/or downstream implementing partners/contractors), such as donors, supporters, ambassadors, or any other person visiting UA or UA-supported/funded programs for any purpose (referred to as “**visitors**”).

6. Responsibilities

All UA staff and associates, UA implementing partners and contractors, and visitors are responsible for championing good practice and an organisational culture that prioritises safeguarding. All UA staff and associates are also required to immediately internally report any witnessed, suspected or alleged cases of child abuse or exploitation, or breaches of this Policy, UA’s *Child Safeguarding & PSEA Code of Conduct* and/or UA’s *Child Safeguarding & PSEA Implementation Procedures*, in line with UA’s *Child Safeguarding & PSEA Incident Reporting Guidelines*.

The Director of International Programs is responsible for:

- a) ensuring relevant child safeguarding 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 UNICEF partner Country Offices and assessing their implementation of UNICEF Child Safeguarding procedures in line with this Policy. The

UNICEF Australia Child Safeguarding Policy

International Programs Team will offer support to UNICEF partner Country Offices to strengthen child safeguarding procedures as requested.

The Director of Australian Programs Team is responsible for communicating this Policy with national implementing partners and contractors, ensuring they have appropriate child safeguarding systems in line with UA and national standards, or alternatively work with UA on a mutually agreed and timebound *Action Plan* to ensure child safeguarding is taken into consideration in the implementing partner's program supported/funded by UA, if it involves direct or indirect contact with children, communities and/or vulnerable/marginalised populations or individuals.

The Director of People and Culture is responsible for ensuring robust recruitment, induction and training processes are in place to prevent child abuse and exploitation and strengthen knowledge and understanding of child safeguarding among UA staff and associates.

The Child Safeguarding & PSEA Committee (which is a sub-committee delegated by the Executive Leadership Team, comprising the Child Safeguarding & PSEA Lead, the Director of People & Culture, and one Child Safeguarding and PSEA Focal Points from each UA team/department - see below) serves as the operational guarantor of this Policy, ensuring it is implemented across the organisation. All executive decisions related to policies, procedures and strategies of the *Child Safeguarding & PSEA Committee* 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 implementation of UA's child safeguarding and PSEA strategy and work across the Organisation.

Child Safeguarding & PSEA Focal Points (one nominated in each UA team/department) support the Child Safeguarding & PSEA Lead(s), as required, and constitute 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) and the Chair of the Board, who nominate two members of the ELT, the Child Safeguarding & PSEA Lead 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 breach of the Child Safeguarding or PSEA Policies.

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

The UA Board is responsible for reviewing and approving changes to this Policy and for considering the guiding principles of this Policy in decision making.

7. 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:** UA incorporates child safeguarding principles and practice into all recruitment and screening of staff and volunteers, including, but not limited to, background and referee checks, working with children checks, tailored safeguarding interview questions and reiteration of UA's child safeguarding commitment in job advertisements and throughout the recruitment/screening process. **A Code of Conduct:** UA adopts a *Child Safeguarding & PSEA Code of Conduct* which includes child safeguarding obligations and expected behaviours, and is signed by UA staff and associates, and visitors to UA programs. Implementing partners and contractors in Australia and abroad (including downstream implementing partners/contractors) working on UA-supported/funded programs which involve direct or indirect contact with children, communities and/or vulnerable/marginalised populations or individuals are required to have a Code of Conduct with similar standards or comply with UA's *Child Safeguarding & PSEA Code of Conduct*.
- Risk assessment and management:** UA integrates child safeguarding (and PSEA) into organisational, programmatic and activity-based risk assessment processes and ensures that appropriate mitigation strategies are in place for any identified child safeguarding-related risks. UA also requires implementing partners and contractors in Australia and abroad (including downstream implementing partners/contractors) to conduct a child safeguarding (and PSEA) risk management exercise of all UA-supported/funded programs which involve direct or indirect contact with children, communities and/or vulnerable/marginalised populations or individuals.
- Incident reporting:** UA has an accessible, safe, confidential and robust internal mechanism to report child safeguarding incidents or breaches of this Policy, UA's *Child Safeguarding & PSEA Code of Conduct* and UA's *Child Safeguarding & PSEA Implementation Procedures*. Internal reporting is mandatory for all staff, associates, implementing partners and contractors in Australia and abroad (including downstream implementing partners/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 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 regular training to staff and associates on child safeguarding, this Policy, UA's *Child Safeguarding & PSEA Code of Conduct*, and UA's *Child Safeguarding & PSEA Implementation Procedures*, with special focus on child safeguarding principles and standards of behaviour, roles and responsibilities, and incident reporting procedures.

Acting on incidents/breaches: UA adopts a robust system to act on reports of child safeguarding incidents and breaches by staff, associates, implementing partners and contractors in Australia and abroad (including downstream implementing partners/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 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 contractors:** UA requires implementing partners and contractors in Australia and abroad (including downstream implementing partners/contractors) to have appropriate child safeguarding systems or alternatively work with UA on a mutually agreed and timebound *Action Plan* to ensure child safeguarding is taken into consideration in their program supported/funded by UA or in their services provided to UA, if it involves direct or indirect contact with children, communities and/or vulnerable populations or individuals (in all cases, this involves a child safeguarding risk assessment and, when relevant, may include signing and abiding by UA's *CS & PSEA Code of Conduct* and/or other UA child safeguarding or PSEA procedures or standards). This is included in partnership contracts and service/supplier agreements, with compliance being regularly assessed.
- **Visitors to UA or UA-supported programs:** UA has specific child safeguarding procedures which apply to all visits by external parties that it organises/arranges to UA or UA-supported/funded programs (including of implementing partners and contractors in Australia and abroad, and downstream implementing partners/contractors), which include, but are not limited to, requiring visitors to undergo background checks, receive a pre-departure child safeguarding briefings and sign and abide by UA's *Child Safeguarding & PSEA Code of Conduct*. UA also conducts a child safeguarding (and PSEA) risk assessment of the visit, with relevant additional risk mitigation strategies, as required.

8. Associated Policies and Procedures

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

- Protection from Sexual Exploitation and Abuse (PSEA) Policy, and 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
- Workplace Discrimination and Harassment Policy
- Whistleblowing Policy
- Complaints Policy
- Recruitment Policy
- Country Office Partnership Policy
- UA Child Safeguarding and PSEA Code of Conduct
- Social Media Policy
- Staff Grievance and Complaints Policy

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 or 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).

UNICEF Australia Child Safeguarding Policy

- **UA staff and associates:** 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.
- **Visitors:** 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)