

SurfAid International Australia Child Protection Policy

Introduction and Preamble

This child protection policy articulates SurfAid International Australia's (SurfAid) zero tolerance approach to child abuse and child pornography. It provides a framework for managing and reducing risks of child abuse by persons engaged in delivering aid program activities. The policy's overall goal is: To protect children from abuse of all kinds in the delivery of SurfAid's overseas aid program.

SurfAid recognises that child abuse is a global problem that affects both boys and girls, and may be deeply rooted in cultural, economic and social practices. Children are abused physically, sexually, emotionally, through neglect, and through exploitation (in 'sweat shops', prostitution, armed conflict as soldiers).

While most child abuse occurs within families and communities, children also experience abuse and exploitation in organisations which provide them with support and services. Child sex offenders will be attracted to organisations with inadequate recruitment practices and supervision, requiring tighter screening practices for the staff and volunteers. There are examples of children being sexually abused both by foreign offenders as well as by local staff and volunteers in aid and development programs.

Purpose

This Child Protection Policy (CPP) has been developed to provide a practical guide to prevent child abuse in SurfAid's programs. It will outline a range of risk management strategies that will be implemented which will reduce the risk of children being harmed.

The CPP will demonstrate SurfAid's commitment to protect children from harm and abuse.

The CPP aims to educate staff and others about child abuse and promote a child safe and a child friendly culture where everyone is committed to keeping children safe.

The CPP aims to create an open and aware environment where concerns for the safety and well being of a child can be raised and managed in a fair and just manner, which protects the rights of all.

Additionally, the CPP will point to guidance on how to respond to concerns and allegations of child abuse. It provides guidance to staff and others on how to work respectfully and effectively with children. This will provide all stakeholders, including staff and others with a safe working

environment.

SurfAid is obliged to adhere to local and international child protection criminal laws, which prohibit the abuse and exploitation of children. These include local laws where SurfAid's programs exist, and international laws and Conventions in relation to all forms of child abuse and child exploitation, including: child sex tourism, child sex trafficking, child labour and child pornography. (See Appendix)

Guiding principles

SurfAid believes that any form of child abuse and exploitation is unacceptable and will not be tolerated.

The United Nations Convention on the Rights of the Child is the universal foundation for child protection. The fundamental principle of the Convention is that children have their own indivisible rights.

SurfAid believes that all children have a right to be safe at all times, and we have an obligation to provide safe and protective services and environments.

SurfAid recognises its duty of care to take all reasonable steps to ensure that children are safe from harm.

SurfAid will take proactive steps to create child safe and child friendly programs.

Adherence to this CPP is a mandatory requirement for all staff and others.

SurfAid will ensure that all staff and relevant stakeholders are made aware of the CPP and their responsibilities.

All decisions regarding the welfare and protection of children are made based on the Best Interests of the Child Principle. 'This principle refers to decisions considering that the child receives maximum benefit possible from services provided, and that the positive impacts of any course of action outweigh any negative impacts'.

Where possible and appropriate, children will be consulted in the development of the CPP and the implementation of child safe practices. Children in our programs should be given opportunities to express their views on matters affecting them.

SurfAid believes that all children should be equally protected and assisted regardless of their gender, nationality, religious or political beliefs, family background, economic status, physical or mental health or criminal background.

Definitions

Duty of Care: Duty of Care is a common law concept that refers to the responsibility of the organisation to provide children with an adequate level of protection against harm. It is the duty of the organisation to protect children from all reasonably foreseeable risk of injury.

Child and young person: A child or young person is regarded to be any person under the age of 18 years, unless a nation's laws recognise adulthood earlier.

Child Protection: Is the term used to describe the responsibilities and activities undertaken to prevent or stop children being abused or maltreated.

Child Abuse: Abuse happens to male and female children of all ages, ethnicity and social backgrounds, abilities, sexual orientation, religious beliefs and political persuasion. Child abuse includes physical, sexual, emotional, neglect, bullying, child labour and domestic violence. Both boys and girls can be the victims of abuse, and abuse can be inflicted on a child by both men and women, as well as by young people themselves. In some cases, professionals and other adults working with children in a position of trust also abuse children.

Physical abuse: This occurs when a person purposefully injures or threatens to injure a child or young person. This may take the form of slapping, punching, shaking, kicking, burning, shoving or grabbing. The injury may take the form of bruises, cuts, burns or fractures.

Emotional abuse: This occurs when a child is repeatedly rejected or frightened by threats. This may involve name calling, being put down or continual coldness from parent or caregiver, to the extent that it affects the child's physical and emotional growth.

Neglect: Neglect is the persistent failure or the deliberate denial to provide the child with clean water, food, shelter, sanitation or supervision or care to the extent that the child's health and development are placed at risk.

Sexual abuse: This occurs when a child or young person is used by an older or bigger child, adolescent or adult for his or her own sexual stimulation or gratification - regardless of the age of majority or age of consent locally. These can be contact or non-contact acts, including threats and exposure to pornography.

Child-Sex Tourism: ECPAT¹ International defines child-sex tourism as: '...the commercial sexual exploitation of children by men or women who travel from one place to another, usually from a richer country to one that is less developed, and there engage in sexual acts with children, defined as anyone aged under 18 years of age.' (ECPAT International, 2006)

Bullying: Bullying is the inappropriate use of power by an individual or group, with an intent to injure either physically or emotionally. It is usually deliberate and repetitive. The bullying may

¹ ECPAT International, ie End Child Prostitution, Child Pornography and the Trafficking of Children for Sexual Purposes, is a leading international NGO championing child protection from sexual exploitation.

be physical or psychological (verbal and non-verbal).

Exposure to Domestic Violence: Domestic violence occurs when children and young people witness or experience the chronic 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)

Particularly vulnerable children: Child abuse takes place not only within the family environment, but also outside the family, including: institutions, at work, on the streets, in war zones and emergencies.

Children in emergencies: Children in emergencies are especially vulnerable to abuse and exploitation. In an emergency or crisis situation, children are extremely vulnerable when they become part of a displaced or traumatised population.

Scope

This policy applies to all staff and other key groups. ‘Staff’ refers to: full time, part time, international and national and also those engaged on short term contracts such as: consultancies, researchers, photographers etc. ‘Others’ refers to: visitors, volunteers, board members, trustees, staff in partnership agencies, and any other individuals or groups that have contact with the organisation.

Policy Statement

SurfAid is committed to the safety and well being of all children. We support the rights of children and will act without hesitation to ensure a child safe environment is maintained.

SurfAid is committed to the protection of children from harm, abuse and exploitation. Children have a right to survival, development, protection and participation as stated in the United Nations Convention on the Rights of the Child.

Regarding the UN Convention on the Rights of the Child (UNCRC), SurfAid will uphold these rights.

SurfAid takes its duty of care seriously and will aim at all times to provide the safest possible programs and environments for children. This will be achieved by identifying and managing risks that may lead to harm.

Proven violation of this Policy and/or relevant Child Protection legislation constitutes gross misconduct and is therefore grounds for termination of employment.

Child protection risk management

SurfAid recognises that there are a number of potential risks to children in the delivery of our programs to the vulnerable and disadvantaged. In recognising these risks, SurfAid proactively assesses and manages these risks to children in our programs (and in the communities in which we work) to reduce the risk of harm. This is achieved by examining each program and its potential impact on children. Programs that involve direct work with children are considered a higher risk, and therefore require more stringent child protection procedures. However, as children are part of every community in which we work, we are always mindful of potential risks.

Risk management is an ongoing part of every activity, and SurfAid conducts a child protection risk assessment on every new and emerging program and project, included in the project management cycle.

Staff and others should continually be aware of risks and be actively minimising opportunities and situations where children can be harmed.

The incident report sheet allows staff to report incidents of child abuse and staff will be made aware of its existence.

Code of conduct for working with children

Staff members and others are responsible for maintaining a professional role with children, which means establishing and maintaining clear professional boundaries that serve to protect everyone from misunderstandings or a violation of the professional relationship.

All staff should conduct themselves in a manner consistent with their role as a SurfAid representative and a positive role model to children. SurfAid has developed a child safe code of conduct to protect children, staff and the organisation by providing clear behavioural guidelines and expectations.

SurfAid's child safe code of conduct also includes:

- Treating all children and young people in our program with respect; and not engaging in behaviour that is intended to shame, humiliate, belittle or degrade children, or use inappropriate, offensive or discriminatory language when speaking with a child or young person.
- Behaving in a manner that is consistent with the values of SurfAid.
- Providing a welcoming, inclusive and safe environment for all children, young people, parents, staff and volunteers.
- Respecting cultural differences.

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- Encouraging open communication between all children, young people, parents, staff and volunteers and having children and young people participate in the decisions that affect them where possible and appropriate.
- Reporting any concerns of child abuse.
- At all times staff should be transparent in their actions and whereabouts.
- Taking responsibility for ensuring they are accountable and do not place themselves in positions where there is a risk of allegations being made.
- Self-assessing behaviours, actions, language and relationships with children.
- Speaking up when behaviours of colleagues become a concern.
- NOT doing things of a personal nature for a child that a child can do for him/herself, such as assistance with toileting or changing clothes.
- NOT taking children to one's own home/hotel or sleep in the same room or bed as a child.
- NOT smacking, hitting or physically assaulting children.
- NOT developing sexual relationships with children, or relationships with children that may be deemed exploitative or abusive.
- NOT behaving provocatively or inappropriately with a child.
- NOT condoning, or participating in, the behaviour of children that is illegal, unsafe or abusive.
- NOT acting in a way that shows unfair and differential treatment of children.
- NOT photographing or video-recording a child without the consent of the child and his/her parents or guardians.
- NOT holding, kissing, cuddling or touching a child in an inappropriate, unnecessary or culturally insensitive way.
- NOT seeking to make contact and spend time with any child or young person outside the program times.
- NOT using SurfAid's computers, mobile phones, video and digital cameras inappropriately, nor use them for the purpose of exploiting or harassing children.
- NOT hiring minors as domestic labour.

Use of children's images

SurfAid will at all times portray children in a respectful, appropriate and consensual way.

Our guidelines on the use of images children's images, in line with the ACFID Code of Conduct Clause 1.4, are:

- A child should always be portrayed 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.
- A child and its family must always be asked for consent when using their images. When asking for consent to use the image, details should be given as to how and where this image will be used.
- There should be no identifying information of the child used in the publication of images with their location.
- Children should be portrayed as part of their community.
- Local cultural traditions should be assessed regarding restrictions for reproducing personal images.
- Images should be an honest representation of the context and the facts.
- When sending images electronically, file labels should not reveal identifying information.
- Photographers will be screened for their suitability, including police checks and working with children checks where appropriate.

Employment of staff and volunteers

SurfAid is committed to child safe recruitment, selection and screening practices. These practices aim to recruit the safest and most suitable people to work in our programs.

Our child safe practices include:

- Promoting our child safe commitment on our website, in other promotional materials and in all job advertisements.
- All applicants will receive a copy of SurfAid's CPP and be informed of the screening requirements when they are sent the application form.

- All positions will be assessed for the level for risk in relation to contact with children. Positions working directly with children will require the highest level of screening (including a police clearance or relevant criminal history checks; or statutory declaration or equivalent, in situations where criminal history checks are unavailable or unreliable; as well as personal & professional reference checking), and the applicant must possess relevant qualifications and experience in working with children.
- Where the candidate is working directly with children in Australia, they may require a Working with Children Check (depending on the jurisdiction).
- Issues relating to child protection will be included in staff performance reviews.
- SurfAid reserves the right to refuse employment to or terminate any person's employment that may pose a risk to children.

Child abuse reporting processes and how to respond to a child who has been abused

SurfAid considers the abuse and exploitation of children to be completely unacceptable. We will take all concerns and reports of child abuse seriously and act on these reports immediately. Reports of this nature will be raised with the Board.

It is mandatory for all SurfAid staff and others to report concerns or allegations of child abuse. These concerns may relate to a child or a staff member involved in the organisation or a concern about a child or person/s outside of the organisation's programs. If you do have a concern you should immediately follow SurfAid's reporting procedures. If a matter is not able to be raised with the SurfAid Complaints Officer or appropriate line manager because of alleged involvement, it should be raised with the CEO. Where this is not appropriate because of alleged involvement of the CEO, matters may be raised with the Board Chair. All information provided will be treated in accordance with SurfAid's Complaints Policy, Whistleblowing Policy, Privacy Policy, and relevant Commonwealth legislation, including the Privacy Act 1988.

SurfAid's designated Child Protection Officer is

in Australia: Andrew Judge (CEO) m: +61416360500 e: andrew@surfaid.org

in Indonesia: Merryen Silalahi (Operations Manager) m: +628126645818 e: merryen@surfaid.org

Our Complaints policy is available on our website at: www.surfaid.org

Where DFAT funding is involved, the matter will be reported to DFAT immediately:
t: +61262619048 e: childwelfare@dfat.gov.au

Involving children and young people

SurfAid is committed to child and youth participation. We strive to achieve this by providing opportunities for children’s views to be heard and incorporate their views into our policies and programs where possible and appropriate. We look for opportunities to ask children for their feedback about staff and services. Where possible and appropriate, they will be consulted in the development and review of the CPP and asked to contribute to the child safe code of conduct in regards to what they consider to be appropriate and inappropriate behaviours. We are committed to ensuring that our reporting process are child friendly and accessible to children who are at risk, have been abused or are concerned about another child.

Educating the organisation on child protection

SurfAid is committed to educating staff and others in the CPP, in how to reduce risks and create child safe environments. We will promote child safe practices which keep children safe in the organisation and in their own community, and provide information about child protection to the children and communities in which we work. This information will include reporting child abuse if they have concerns about a SurfAid member of staff or other representative of the organisation.

Reviewing the Child Protection Policy

SurfAid’s Child Protection Policy will be reviewed every two years. The CEO will manage the review of the CPP, and staff will be consulted in this process.

For Child Protection matters SurfAid will be guided by and work under current versions of

- DFAT Child Protection Policy, which sets out Commonwealth and State legislation and international instruments that Australia is signatory to, including the United Nations Convention on the Rights of the Child
- DFAT Child Protection Guidance Note: Child Protection in Emergencies
- Keeping Children Safe - A toolkit for child protection (Save the Children)

Additional relevant SurfAid policies include:

SAIA Complaints Policy
SAIA Aid & Development Practice Policy

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SAIA Communications, Media and Fundraising Policy
SAIA HR Handbook
SAIA General Staff Code of Conduct

Approved: September, 2018

Date for next review: September, 2020

SurfAid International Australia is a member of the Australian Council for International Development (ACFID) and is a signatory to the ACFID Code of Conduct. The Code requires members to meet high standards of corporate governance, public accountability and financial management. Complaints relating to alleged breaches of the Code of Conduct by any signatory agency can be made by any staff member or member of the public to the [ACFID Code of Conduct Committee](#). More information about the ACFID Code of Conduct can be obtained from SurfAid International or from ACFID at: W: <http://www.acfid.asn.au/> E: code@acfid.asn.au