



**lotus outreach
australia**

Child Protection Policy and Code of Conduct

LOA- Lotus Outreach Australia Incorporated

2014

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1. Policy Statement

LOA is a non-profit organisation dedicated to ensuring the education, health and safety of the most marginalized and exploited women and children in Cambodia. LOA's Child Protection Policy and Code of Conduct affirm LOA's fundamental belief that children have the right to be protected and free from abuse and exploitation. LOA recognises the United Nations Convention on the Rights of the Child (UNCRC). LOA is committed to the four fundamental principles of the UNCRC: survival and development, best interests of the child, non-discrimination, and children's participation.

LOA has a zero tolerance approach to child abuse. LOA 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 of children. The aim of this policy is to demonstrate LOA's commitment to protecting children from all forms of abuse, neglect and exploitation. This policy and additional procedures aim to create an open and aware child safe environment for the prevention of harm to children. This policy also aims to ensure that our partner organisations develop and meet standards of child protection in all of their activities.

2. Scope of the Policy

This Policy applies to:

- All LOA staff and representatives, including, but limited to, Board members, volunteers/interns, contractors and sub-contractors.
- All Partners (in Australia and overseas) and their Board Members, staff, volunteers, donors, contractors and sub-contractors, who are implementing activities funded by, or through, LOA.
- Visiting staff to LOA programs (in Australia and overseas), such as media reporters etc.

3. Definitions

Child: For the purposes of this policy and code of conduct, a child is considered to be a person under the age of 18.

Child Abuse: is the deliberate act of ill treatment that can harm or is likely to cause harm to a child's safety, wellbeing, dignity and development. Child abuse includes all forms of physical, sexual and emotional abuse, neglect, bullying, discrimination, child labour and domestic violence.

Child Protection: refers to the policies, standards, procedures and activities carried out by organisations to protect children from all forms of abuse, exploitation and to address any issues or problems that may interfere with keeping a child as safe as possible.

Child Safeguarding Actions, policies and procedures that create and maintain protective environments for children including to protect them from exploitation and abuse of all kinds

Discrimination: involves treating an individual unfairly in comparison to others because of their social status, race, ethnicity, colour, religion, gender, sexual orientation, age, marital status, national origin, political affiliation or disability.

Duty of Care is 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

Emotional Abuse: an inappropriate pattern of behaviour, verbal or symbolic, towards a child that impairs a child's emotional development or sense of self-worth. Emotional abuse also includes the failure to provide a child with adequate non-physical nurture and emotional availability.

Exploitation: the use of children in work or other activities that may interfere with the development of a child. The activities may be detrimental to a child's physical or mental health, education, or spiritual, moral or social emotional development.

Neglect: the continued failure to provide a child with the basic necessities of life, such as food, clothing, care and clean water. Neglect also includes the failure to properly supervise and protect children from harm.

Partners: refer to any organisation or person that are implementing activities funded by, or through, LOA.

Physical Abuse: A purposeful attempt of physical force, which harms or injures or intends to injure a child. This includes but is not limited to shoving, hitting, slapping, shaking, throwing, punching, kicking, biting, burning, strangling and burning.

Sexual Abuse: The use of a child, by another child, adolescent or adult, for his or her own sexual gratification, stimulation or economic gain.

Sexual Exploitation: the abuse of a position of vulnerability, differential power, or trust for sexual purposes; this includes profiting monetarily, socially or politically from the sexual exploitation of another, as well as personal gratification.

4. Risk Identification and management

LOA recognises that there are a number of potential risks to children in our work. In recognizing these risks, LOA will ensure all activities undergo a risk assessment before commencement and will actively manage risks to reduce the risk of harm.

All activities will undergo a risk assessment and will be classified into high, medium or low risk activities, based on the level of contact with children. To ensure continued management of risks, LOA will in conjunction with partners, monitor activities according to the level of risk throughout the project cycle.

All partners who are receiving funding from, or through, LOA will be expected to abide by child protection obligations and are required to conduct risk assessments of child protection needs and implement child protection risk mitigation strategies as required.

5. Recruitment and employment

LOA is committed to child safe recruitment, selection and screening practices. These practices aim to recruit the safest and most suitable people to work within our organisation. LOA will not permit a person to work in contact with children if they pose an unacceptable risk to children's safety or wellbeing. LOA will not engage an individual with a criminal conviction related to children. In order to ensure continual monitoring, existing LOA staff will undergo continued checks to ensure they are abiding by the LOA Child Protection Policy and Code of Conduct. LOA engages the following child safe recruitment practices:

- A clear statement that confirms LOA's commitment to child protection in all job advertisements.
- Clear job descriptions, which describes key selection criteria and outlines tasks.
- An assessment will be undertaken to determine whether an individual will need to undertake a working with children check.
- Conducting interviews for all positions.
- Including behavioral- based questions at interviews and asking for examples of the candidate's past behaviour and experiences.
- Requiring a minimum of two referee checks for all preferred candidates.
- All staff and candidates will be required to provide an Australian Federal Police Check or a relevant criminal history check.
- Working with Children Checks for all staff and candidates who may be working directly with children.
- Signing of the Child Protection Code of Conduct.
- Reserving the right to refuse employment to or terminate any person's employment if they pose a risk to children.

6. Training and development

LOA is committed to providing training for its staff and representatives. The Child Protection Policy and Code of Conduct are included in the orientation of all new staff and representatives. Staff and representatives will be informed if there are any amendments to the policy and a refresher will be provided annually. The Child Protection Officer will be encouraged to attend training on child protection policies and practices by recognised external agencies.

The responsibilities of the LOA Child Protection Officer can be found in Annex 2: Responsibilities of the Child Protection Officer.

7. Reporting procedure

LOA will take all concerns and reports of child abuse seriously and immediate action will be taken. It is mandatory that any incident relating to child protection, suspected or disclosed, to be reported immediately to the President or the Child Protection Officer.

7.1 Confidentiality

All information reported will be kept confidential, discussed only with the Child Protection Officer, President and any other relevant authority or parties.

7.2 Documentation

All concerns and reports are to be documented with as much details as possible, such as the date, place, alleged offenders details and details of the alleged incident. The President and/ or the Child Protection Officer should be informed immediately after the details are documented. It is essential that during the documentation stage that all information remains confidential and only discussed by the President, Child Protection Officer and any other relevant authorities or parties.

7.3 Reporting

The President, or the Child Protection Officer, must immediately (within 24 hours or as soon as feasibly possible) notify DFAT (Telephone: +61 2 6178 5100), Email childprotection@ausaid.govt.au: or the relevant State or Federal Government authorities tasked with child protection

- If the allegation relates to staff or representatives working for LOA- either currently or at any time in the past of which we are aware;
- If the allegation relates to staff or representatives working for an LOA partner which receives funding by LOA, or through, LOA or receives funding by DFAT;
- If an LOA staff or representative or an LOA partner has been charged, arrested or convicted of criminal offences relating to child exploitation and abuse.

If the incident constitutes criminal behaviour, the LOA Child Protection Officer will immediately notify the relevant State Police or the Australian Federal and/or the relevant Police in the country in which the LOA partner is based or any other relevant authorities such as INTERPOL.

7.4 Responding

LOA will investigate all allegations and reports confidentially. If the reported concern is made against an LOA staff member or representative, they will be forthwith removed from any activities whilst the investigation process is taking place.

If a report is made against a partner, project funding and the project will be suspended forthwith during the investigation process.

If the report is made against an individual within a partner organisation, they will be removed from program activities forthwith during the investigation process.

Any criminal investigations will be handled by the relevant Police authorities and any information that LOA has shall be handed over to those authorities. I

Subject to any external Police investigations, LOA Internal investigations may consist of: interviews of witnesses and others as appropriate, collection of information about the alleged concern, gathering of documentation, or other procedures as appropriate. The investigation process will be fully documented and confidential.

If during any LOA investigation, there is criminal charge implications, LOA shall forthwith refer those allegations to the relevant Police authorities and take advice from such authorities as to LOA's next steps prior to embarking on any further actions.

The best interests of the child is prioritized. When reporting to authorities, LOA shall take action to obtain such additional support for the child may be necessary to ensure their safety and rights (such as linking them with local community based child protection groups, local women's organisations and/or formal social services).

Subject to any criminal investigations, the child, accused and notifier may be informed during the investigation process, notified of the outcomes and if appropriate provided with the necessary counseling and support.

The LOA Reporting Process can be found in Annex 3: LOA Child Protection Reporting Process.

The LOA Reporting Form can be found in Annex 4: LOA Child Protection Reporting Form.

8. Communications, social media, photos and information

LOA material will at all times portray children in a respectful, appropriate and consensual manner.

Guidelines on the use of children's images are included in Annex 1 Child Protection Code of Conduct.

9. Review of policy and procedures

The LOA Child Protection Policy and Code of Conduct will be reviewed every five years or earlier if warranted. The procedures will be reviewed every two years or after an incident. All organisational reviews will take Child Protection into consideration. An assessment of the implementation of the policy will take place annually.

10. Resource list

ACFID Guidelines for the Development of a Child Protection Policy

https://acfid.asn.au/wp-content/uploads/2022/05/ACFID-Code-of-Conduct-Guidelines-for-the-Development-of-a-Child-Safeguarding-Policy_Nov-18.pdf

DFAT Child Protection Policy

<https://www.dfat.gov.au/international-relations/themes/child-protection/child-protection>

ANNEX 1: LOA Child Protection Code of Conduct

Note: This Code of Conduct is to be read in conjunction with the LOA Child Protection Policy.

All LOA Staff, representatives and volunteers, who are representing or visiting LOA projects are required, at all times, to maintain a professional role when working with children. This Child Protection Code of Conduct sets out the behaviour, which LOA expects, from all people associated with or representing it.

LOA partners operating outside of Australia shall abide by their local version of this Code of Conduct and comply with their local Child protection policies as far as possible and provide LOA with evidence of same as and when required on demand.

Any LOA donor, representative or volunteer must obtain written approval from LOA and its partner, prior to visiting any LOA project run by a partner overseas and if approved, such volunteer must sign a code of conduct and only visit a project in the company of an approved representative at all times.

As a staff member, volunteer, contractor, sub-contractor, visitor or representative of LOA, I agree that:

I WILL:

- Treat children with respect regardless of race, colour, language, religion, political or other opinion, national ethnic or social origin, property, disability, birth or other status;
- Provide a welcoming, inclusive and safe environment for all children, young people, staff, representative and partners;
- Keep all reported cases and allegations (proven or otherwise) confidential;
- Comply with all relevant Australian and local legislation, including labour laws in relation to child labour;

- Immediately report concerns or allegations of child exploitation and abuse and policy non-compliance in accordance with appropriate procedures including reporting same to the relevant police and child protection authorities both in Australia and/or the country involved and
- Immediately disclose all charges, convictions and other outcomes of an offence, which occurred before or occurs during my association with LOA that relate to child exploitation and abuse.
- Avoid circumstances where my behaviours may be misinterpreted as hostile, suggestive, inappropriate or neglectful.
- Use any computers, mobile phones, video cameras, cameras or social media appropriately, and never to exploit or harass children or access child exploitation material through any medium; and
- Wherever possible, ensure that another adult is present when in the proximity of children associated with LOA or any of its partners

I WILL NOT:

- Invite unaccompanied children into my home, unless they are at immediate risk of injury or in physical danger;
- Use language or behaviour towards children that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate;
- Engage children under the age of 18 in any form of sexual intercourse or sexual activity, including paying for sexual services or acts. I understand that mistaken belief of age of the child is not a defence;
- Sleep close to unsupervised children unless absolutely necessary, in which case I must obtain my supervisor's permission, and ensure that another adult is present if possible;
- Use physical punishment on children; and
- Behave provocatively or inappropriately with a child. Hold, kiss, cuddle or touch a child in an inappropriate, unnecessary or culturally insensitive way.

- Hire children for domestic or other labour which is inappropriate given their age or developmental stage, which interferes with their time available for education and recreational activities, or which places them at significant risk of injury;
- Release or discuss any personal confidential information about suspected or proven child abuse or protection cases other than with the Child Protection Focal Point, Executive Director, the Country Director or other parties designated by them and according to reporting procedures.

When photographing or filming a child or using children’s images for LOA purposes, I must:

- Assess and endeavour to comply with local traditions or restrictions for reproducing personal images before photographing or filming a child;
- Obtain informed consent from the child and parent or guardian of the child before photographing or filming a child. As part of this I must explain how the photograph or film will be used;
- Ensure photographs, films, videos and DVDs present children in a dignified and respectful manner and not in a vulnerable or submissive manner. Children should be adequately clothed and not in poses that could be seen as sexually suggestive;
- Ensure images are honest representations of the context and the facts; and
- Ensure file labels, meta data or text descriptions do not reveal identifying information about a child when sending images electronically, publishing images in any form or in discussions.

I understand that the onus is on me, as a person engaged or associated with LOA, to use common sense and avoid actions or behaviours that could be constructed as child abuse when engaging in LOA activities or visiting LOA projects.

I have read the LOA Child Protection Policy and Code of Conduct and I am aware that LOA expects me to uphold at all times the standards of behaviour describe in the

Code of Conduct above. I understand that disciplinary measures and legal action may be taken if I am found to be in breach of the Code of Conduct.

Name

Signature

Date

Witness:

Name

Signature

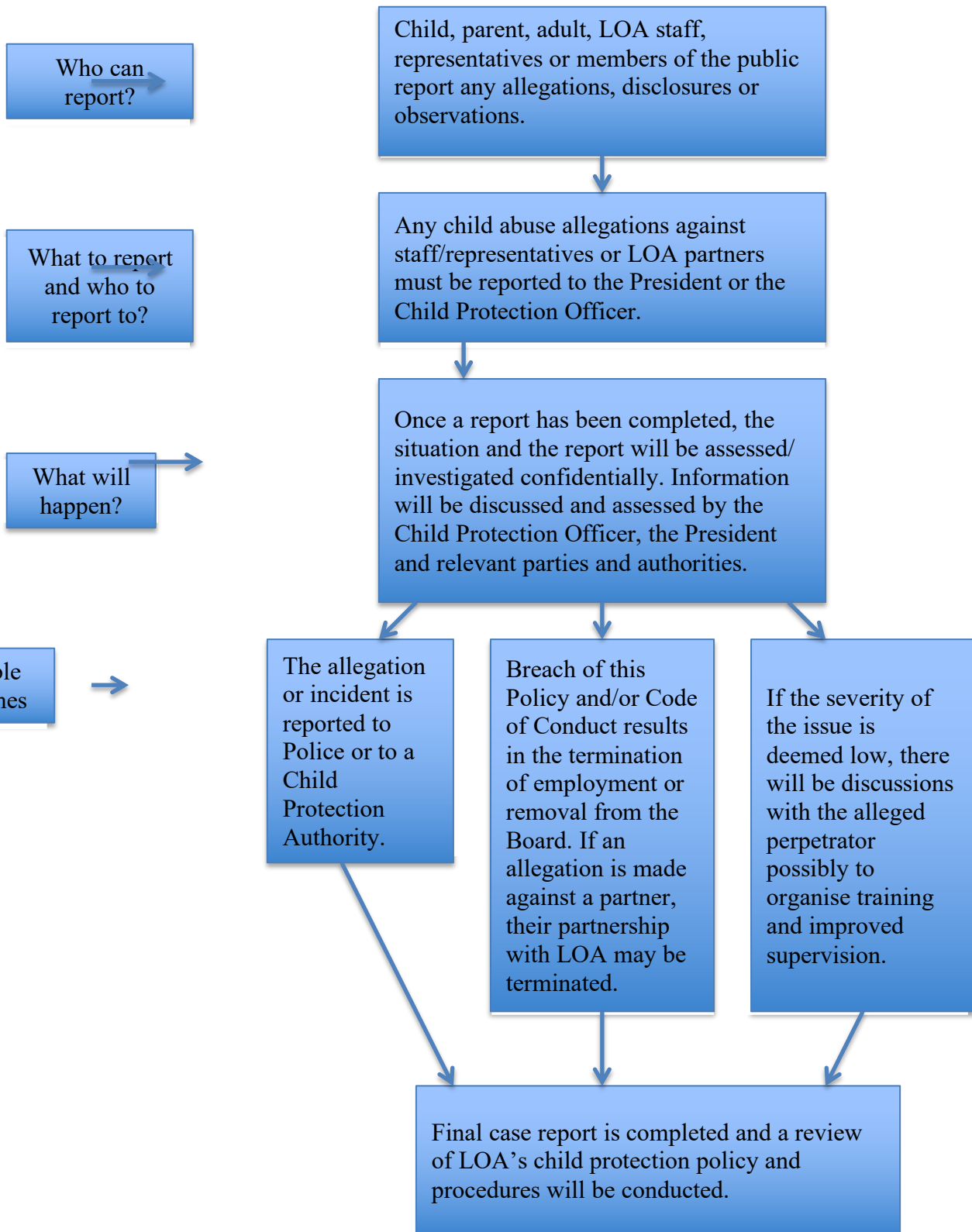
Date

ANNEX 2: Responsibilities of the Child Protection Officer

Responsibilities and tasks of the Child Protection Officer include:

- Supporting the Board Members to implement the Child Protection Policy and Code of Conduct.
- Act as a first point of contact for staff, representatives, partners and the public on all child protection issues.
- Notifying appropriate agencies, such as DFAT and the Police, if necessary.
- Review and update procedures and protocols as required.
- Keep a record of all complaints and reports.
- Follow up on complaints and reports.
- Ensure a final report on all concerns or allegations is conducted and shown to relevant LOA staff or representatives and or relevant agencies such as DFAT.
- Attend appropriate child protection training.
- Provide annual refreshes to staff and representatives about child protection.
- Disseminate information and materials, relating to child protection, to other staff and representatives.

ANNEX 3: LOA Child Protection Reporting Process



ANNEX 4: LOA Child Protection Reporting Form

Child Protection Reporting Form

Please indicate what you are reporting

- I witnessed inappropriate behaviour with a child
 - I have concerns that abuse may be occurring
 - I witnessed an incident with a child
 - A child has told me that they are being abused or have told me about an incident
 - I have received an allegation of abuse from a 3rd party (community members etc.)
 - I was involved in an incident with a child
 - Other (please specify)
-
-

About you

Your Name: _____

Your Contact Details: _____

Your relationship with the child or persons concerned:

About the child

Name: _____

Male/ Female: _____

Age: _____

Address: _____

Whom does the child live with?

Is the child aware of this report? Yes/ No

Report Details:

How did you come to have a concern: was abuse observed or suspected?

Concerns may include: a change in a child's attitude of behaviour, a child being distressed, a child being bullied, a relationship that an adult and a child or a child and a child appear to be having etc.

Was an allegation made? Did a child disclose abuse?

Please provide as much information as possible, including name of the person making an allegation, name of the person whom the allegation is been made against and the nature of the allegation.

Date, time and place of any incident(s) reported to you (if applicable)

Write down exactly what the child said and what you said (if applicable).

Incident with a child:

If you were involved in an incident with a child, please complete the following:

Please tick which of the following has occurred:

- I accidentally hurt a child.
- A child misinterpreted or misunderstood something I have done.
- I have had to use reasonable physical restraint.
- I was a witness or involved with an incident to a child
- I was approached by a child wishing to have a relationship with me
- Other (please specify below)

Please provide further information about your incident with a child, including any action you may have taken so far.

Signature: _____

Date: _____

Please return this form to the LOA President or the LOA Child Protection Officer as soon as possible.