



## Child Safeguarding Policy

### Amendment Log

Change	Section	Date	Responsible
References to International Program changed to Pasifik Program	Entire Policy	July 2024	CC
Definition of Volunteer added	Definitions	July 2024	CC
Requirement for all Pasifik Program staff and other staff working with children or young people to complete on-line child safeguarding training	Section 9 – Educating the organisation on child abuse and EDO's child safeguarding policy	July 2024	CC
Clarification of commitment to adhering to any reporting requirements outlined in our funding requirements.	Section 11 – Reporting on the reports	July 2024	CC
Authority contact details updated	Reporting child abuse in Australia	August 2024	CC

### Introduction

The Environmental Defender's Office (EDO) is committed to protecting children from harm and abuse.

EDO is a community legal centre specialising in public interest environmental law. Our vision is a world where nature thrives. We seek to achieve this vision by delivering legal solutions for peoples, nature and our climate.

Our Pasifik Program, formerly the International Program (Program) has been running since the early 1990s and works to empower peoples across the Pacific region to use the law to protect the environment and communities. The Program has a leading role in promoting public interest environmental law in the South Pacific Region.

Operating at the critical intersection of indigenous rights and environmental protection, we centre indigenous perspectives in the work that we do. We work in partnership with Pacific based lawyers on strategic litigation, law reform, policy and outreach projects and are focused on the main threats to the region, including climate change, deforestation, mining, and threats to oceans.

In general, we do not work directly with children either in our domestic work or Pasifik Program. However, there will be instances where EDO representatives may have incidental contact with children in the course of their work, including whilst on duty travel, visiting communities for workshops or legal field visits. On very rare occasions, EDO clients may be young adults, for example, in youth driven climate change litigation.

Accordingly, EDO has developed a child safeguarding policy to manage any risks to children that might arise in the delivery of its services.

## Purpose

The purpose of this policy is to ensure that EDO employees, Volunteers, contractors, partners and Board members understand their responsibilities in relation to the safeguarding of children and young people.

Specifically, this policy aims to:

- demonstrate EDO's commitment and approaches to child safeguarding.
- provide practical guidance to employees, volunteers and Board members on how to work respectfully and effectively with children in order to prevent child abuse in EDO's programs.
- outline a range of risk management strategies that will be implemented to reduce the risk of children being harmed.
- educate employees and others about child abuse and promote a child safe and a child friendly culture where everyone is committed to keeping children safe.
- 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.
- provide guidance on how to respond to concerns and allegations of child abuse.
- meet our obligations as a signatory to the ACFID Code of Conduct, by having policies and procedures implemented which promote the safety and well-being of all children accessing its services and programs, in particular to minimise the risk of abuse to children.

## Scope

This policy applies to all EDO employees, Volunteers, contractors, and Board members as well as associates of EDO.

Associates of EDO refers to: visitors, EDO-sponsored volunteers, employees in partnership agencies, and any other individuals or groups that have contact with the organisation.

It applies during and outside of working hours.

## Definitions

**A child or 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.

**Bullying:** Repeated, unreasonable behaviour, directed towards an individual or group, which creates a risk to health and safety. Bullying can be carried out by an individual or a group.

'Repeated behaviour' refers to the persistent nature of the behaviour, not the specific type of behaviour. Behaviour is considered to be repeated if an established pattern can be identified but can also refer to a range of diverse incidents over time.

Unreasonable behaviour means behaviour that a reasonable person, having regard to all the circumstances,

would expect to victimise, humiliate, undermine or threaten another person. This behaviour includes actions of individuals or a group and may involve using a system of work as a means of victimising, humiliating, undermining, punishing or threatening.

For the purpose of identifying bullying behaviour, it is irrelevant whether or not the alleged bullying was intentional.

Workplace bullying and occupational violence are unlawful. Employees or workplace participants who engage in this type of unlawful conduct expose themselves to legal liability and could expose EDO to potential claims.

Bullying behaviour can range from obvious verbal or physical assault to subtle psychological abuse. It can be intentional or unintentional, and occur face-to-face, over the phone, via email, instant messaging text messaging or social media.

Bullying can involve many different forms of unreasonable behaviour - some are obvious (direct) while others are subtle (indirect).

Examples of bullying behaviours can be:

- Physical – including pushing, hitting, punching, kicking or any other action causing hurt or injury.
- Verbal – including insults, taunts, threats, and ridicules. shouting, swearing, teasing, making belittling remarks, or persistent unjustified criticism.
- Psychological – including physical intimidation and ostracism. assigning meaningless tasks to a worker unrelated to the worker's job; excluding or isolating a worker.

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

**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.

**Child-Sex Tourism:** ECPAT 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).

**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.

**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 a parent or caregiver, to the extent that it affects the child's physical and emotional growth.

**Exploitation:** Commercial or other exploitation of a child refers to the use of the child in work or other activities for the benefit of others that are to the detriment of the child's physical and mental health,

education, or moral and social-emotional development. It includes, but is not limited to, child labour, child trafficking and child sexual exploitation.

**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

**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.

**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.

**Sexual Abuse**: In relation to a child 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 sexualised language, voyeurism, and exposure to pornography.

**Volunteer**: Any person who performs a designated task for the organisation under the expressed direction of the organisation, without the expectation of remuneration. Volunteers are not paid employees. Volunteer roles include, but are not limited to, undertaking placements arranged by a third-party, including universities and Aurora, PLT placements, and legal, science and office volunteers.

## Policy Principles

- EDO 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 (UNCRC) is the universal foundation for child protection. The fundamental principle of the Convention is that children have their own indivisible rights.
- EDO recognises and supports the principles espoused in the UNCRC.
- EDO believes that all children should be equally protected regardless of their gender, nationality, religious or political beliefs, age, sexual orientation, family and social background and culture, economic status, physical or mental health and criminal background.
- EDO recognises its duty of care to take all reasonable steps to ensure that children are safe from harm.
- EDO 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.
- EDO will ensure that all employees, Volunteers, Board members and other relevant stakeholders are made aware of the child safeguarding policy and their responsibilities.

## 1. Statement on commitment to child safeguarding

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

EDO 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 UNCRC. EDO will uphold these rights.

EDO takes its duty of care seriously and where contact with children may occur, will aim to provide the safest possible programs and environments for children. This will be achieved by identifying and managing risks that may lead to harm.

In addition to this policy EDO 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 EDO'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.

## 2. Context

Child abuse is a global problem that affects all children regardless of gender or age.

Globally, it is estimated that up to 1 billion children aged 2–17 years, have experienced physical, sexual, or emotional violence or neglect in the past year.<sup>1</sup>

The numbers of children who suffer sexual abuse worldwide is unknown, though research suggests that about 20% of women and 5–10% of men have suffered sexual abuse as children.<sup>2</sup>

While most child abuse occurs within families and communities, children also experience abuse and exploitation in organisations which provide them with support and services. Over the last decade many Western countries have enacted tougher laws against child sex offending and many child-focused organisations have implemented tighter screening practices for their staff and volunteers. These improved child protection measures have led to increasing numbers of child sex offenders moving overseas to seek work in developing countries and development programs. They will seek work in countries with inadequate child protection laws and law enforcement as well as countries where children and their families are vulnerable to exploitation.

EDO does not specifically provide child-focused support and services. Rather, EDO's focus is on the provision of legal services for the protection of the environment. In Australia, contact with children by employees and volunteers is likely to be limited to:

- Children of other employees and volunteers who attend EDO's offices from time to time;
- Children of clients who may attend EDO's offices from time to time; and
- Children who may attend education programs run by EDO.

EDO also has a Pasifik Program which relevantly includes:

- The provision of legal and policy support to Pacific partner organisations (that is, other legal centres that practise in the area of environmental law) and

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<sup>1</sup> <https://www.who.int/news-room/fact-sheets/detail/violence-against-children>

<sup>2</sup> [https://www.who.int/violence\\_injury\\_prevention/violence/world\\_report/en/summary\\_en.pdf](https://www.who.int/violence_injury_prevention/violence/world_report/en/summary_en.pdf)

- The placement of Australian volunteers funded by the Australian Government in various organisations across the Pacific that carry out environmental legal and policy services.

While EDO's Pasifik Program does not directly provide support and services to children, EDO employees who visit Pacific partner organisations, and Australian volunteers, are likely to come into contact with children in their overseas positions in a similar manner to EDO employees and volunteers in Australia. As mentioned in the preamble, on very rare occasions, EDO clients may be young adults, for example, where EDO acts for a group of young people in a youth driven environmental case.

### 3. Child Safeguarding risk management

- 3.1. EDO recognises that there are some potential risks to children in the delivery of our programs. In recognising these risks, EDO 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.
- 3.2. Risk management is an ongoing part of all our work and EDO will include a child safeguarding risk assessment as part of its project design processes in respect of any new and emerging program and project that is likely to involve contact with children.
- 3.3. Employees and others (as relevant) are made aware of child safeguarding practices. They should continually be aware of potential risks to children and be actively minimising opportunities and situations where children can be harmed.
- 3.4. A child abuse incident reporting sheet has been developed and EDO employees are aware of its existence. (See Annexure B).

### 4. Code of conduct for working with children

- 4.1. EDO is committed to high standards around personal behaviour, and has a general *Code of Conduct* which all staff and Volunteers agree to abide by.
- 4.2. EDO's general *Code of Conduct* includes a requirement that signatories maintain a professional role when interacting with children and young people in accordance with EDO's *Child Safeguarding policy* and *Child Safeguarding Code of Conduct*.
- 4.3. See Annexure A for our full *Child Safeguarding Code of Conduct*.
- 4.4. Employees and others are required to sign EDO's *Child Safeguarding Code of Conduct* in addition to the general *Code of Conduct*.

### 5. Use of children's images

EDO will at all times portray children in a respectful, appropriate and consensual way. Our guidelines on the use of children's images, in line with the ACFID Code of Conduct, 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.

- Informed consent must always be sought and documented for the use of a child's story or image. When asking for consent, details should be given as to how, where and for how long the story, information and /or image will be used. We will provide examples of how the story/information and/or image will be used. We will explain how we cannot control the use of images once they are loaded onto the internet and that they can be viewed by anyone with internet access at any time.
- There should be no identifying information of the child used in the publication of images. This includes the child's name, family name, community or school name.
- Children should not be portrayed in isolation; instead, they 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 where appropriate.
- A risk assessment (with the child and their family) will be undertaken prior to the publishing of any information/story about an especially vulnerable child.
- A story about an especially vulnerable child will not show their face or any other identifying factors.
- Children should not be portrayed as weak, isolated and vulnerable. Images of children should portray them as resilient human beings and as partners in the development process.
- All images and information about children will be stored safely and will only be accessed by authorised personnel.

## 6. Staff and volunteers

EDO is committed to child safe recruitment, selection and screening practices. EDO will not knowingly engage – directly or indirectly – anyone who poses a risk to children. These practices aim to recruit the safest and most suitable people to work in our programs. Our child safe practices include:

- Child safe commitment is promoted on our website, by publishing this policy on our website.
- Applicants will be required to submit detailed information or a CV when applying for a position. The information provided will be screened for details about the applicant's background such as dates and places of employment, education and other activities.
- All positions are assessed for the level for risk in relation to contact with children.

**Contact with children:** is defined as working on an activity or in a position that involves or may involve contact with children, either under the position description or due to the nature of the work environment.

**Working with children:** is defined as being engaged in an activity with a child where the contact would reasonably be expected as a normal part of the activity and the contact is not incidental to the activity. Working includes volunteering or other unpaid works. Positions which

work with children will require the highest level of screening and the applicant must possess relevant qualifications and experience in working with children.

- Positions have position descriptions which outline tasks and accountabilities.
- Recruitment includes interviews which may be face-to-face, or video conferencing.
- Behavioural-based questions will be used to ask for examples of the candidate's past behaviour and experiences.
- Verbal reference checks are required for preferred candidates.
- Staff may be required to provide proof of identify including birth certificate, passport, drivers licence and relevant qualifications. In such cases, original documents or certified copies of original documents will be required.
- Positions are subject to a probationary period.
- EDO will ensure that all employees and relevant stakeholders are made aware of this policy and their responsibilities.
- EDO reserves the right to refuse employment to or terminate any person's employment that may pose a risk to children, or breaches EDO's *Child protection code of conduct*.
- EDO will undertake police checks, where appropriate, for employees and volunteers who have contact with children or are working with children.
- Where police checks are sought and are unavailable or unreliable, EDO reserves the right to request candidates to provide appropriate statutory declarations.

## **7. Child abuse reporting processes**

EDO 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.

It is mandatory for all EDO employees 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.

All concerns should be reported immediately following EDO's child abuse reporting procedures.

### **Who should report?**

All EDO employees and others including people in the community and partner organisations.

### **What should be reported?**

- Any disclosure or allegation from a child, community member or employee regarding the safety, abuse or exploitation of a child (this includes actual, suspected, or risk of abuse or harm to a child).



- Any observation or concerning behaviour exhibited by an EDO employee, Volunteer or other relevant stakeholder that breaches EDO's Child Safeguarding Code of Conduct.
- Inappropriate use of the organisation's photographic equipment or computers including evidence of child pornography.
- Employees engaging in suspicious behaviour that could be associated with sexual exploitation or trafficking.

### **When to report?**

Child abuse concerns should be raised immediately.

### **Who to report to?**

Child abuse reports should be made to the EDO's Head of People & Culture, who serves as the Child Safeguarding Officer (**CSO**).

### **Reporting of child abuse in Australia**

- In all Australian states and territories, sexual and physical abuse of children are crimes.
- The age of consent in most Australian states and territories is 16. However, it is important to check in each jurisdiction as the age limit may be different.
- Additionally, in some jurisdictions it is a criminal offence for persons who are in positions of power and trust (e.g. teacher, parent, carer) to engage in sexual activity with children under the age of 18.
- A report of child abuse can either be made to the local state police or the state child protection authorities.
- If there is an allegation or suspicion of child sexual abuse by an employee or volunteer in the organisation, these matters will be reported to the state police.
- If there are concerns that a child is being sexually abused by someone external to the organisation, EDO will contact the state police and/or child protection authorities.
- Concerns about the welfare of the child in relation to neglect and/or emotional abuse will be reported to the child protection authorities in each state or territory.

Contact details of these authorities are<sup>3</sup>:

Australian Capital Territory – Child and Youth Protection Services (CYPS) 1300 556 729

New South Wales – Department of Communities and Justice 13 21 11

Northern Territory - Department of Territory Families, Housing and Communities 1800 700 250

Queensland- Department of Child Safety, Seniors and Disability Services 1800 811 810 (during business hours) or 1800 177 135 (after hours and weekends)

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<sup>3</sup> <https://aifs.gov.au/resources/resource-sheets/reporting-child-abuse-and-neglect>

South Australia – Department for Child Protection 13 14 78

Tasmania – Department for Education, Children and Young People 1800 000 123

Victoria – Department of Families and Housing during business hours contact the service that covers where the child lives - North Division Intake – 1300 664 977 South Division Intake – 1300 655 795 East Division Intake – 1300 360 391 West Division Intake – rural and regional only – 1800 075 599 West Division Intake – metropolitan only – 1300 664 977. After hours call 13 12 78

Western Australia – Department of Communities 1800 273 889 (during business hours) or 1800 199 008 (after hours).

- Concerns about people engaging in child sex tourism, child sex trafficking and child pornography should be reported to the Australian Federal Police by completing their online form ([https://forms.afp.gov.au/online\\_forms/cst\\_form](https://forms.afp.gov.au/online_forms/cst_form)) or calling 131 237

### **Reporting of child abuse allegations overseas**

- Child abuse reports should be made to the Head of People & Culture.
- An initial assessment will be made based on the quality and reliability of the information and a decision will be made on what steps to take.
- The local reporting procedure will guide the process based on whether the allegation constitutes a criminal offence in the country where the allegation has been alleged to occur, or whether it is a breach of EDO's Child Safeguarding Code of Conduct and will be dealt with as a disciplinary matter.
- The first step will be to gather all the relevant information and address any health and protection needs of the child. The matter may be directly referred to the local police and/or authorities if the allegations are considered to be criminal offences.
- If the incident has occurred outside of the program the matter will be referred to an external body or agency dealing with child protection matters in the country.

### **How should it be reported?**

- Verbally and in writing, by completing the EDO Child Safeguarding Incident Report Form (see Annexure B).

### **Disciplinary action**

Disciplinary action will be taken against any employee or associate found to:

- Have failed to report a child protection concern.
- Have intentionally made a false allegation.
- Have seriously breached EDO's Child Safeguarding Code of Conduct and/or Child Safeguarding Policy (minor breaches may result in action such as refresher training or increased supervision).

Disciplinary action may include the following sanctions:

- EDO employee – disciplinary action / dismissal
- EDO associates – up to and including termination of all relations including contractual and partnership agreements with (AGENCY)
- Where relevant – reporting to authorities

### **What will happen next?**

The Head of People & Culture in consultation with the relevant Director and/or CEO will discuss the allegations and then decide upon the next step. This may involve one or more of the of the following:

- Interviewing the person/persons who made the allegations or other witnesses to gather more information with which to make a decision.
- Report to local police and or child protection authority when it is suspected or becomes clear that a crime has been committed.
- Report made to the Australian Federal Police when it is suspected or becomes clear that a crime has been committed regarding child sex tourism, child sex trafficking and child pornography.
- Concern handled internally if it is not a criminal matter.
- No further action taken.
- Providing support to all stakeholders as necessary.

EDO will treat all concerns raised seriously and ***ensure that all parties will be treated fairly and the principles of natural justice will be a prime consideration.*** All reports will be handled professionally, confidentially and expeditiously.

All reports made in good faith will be viewed as being made in the best interests of the child regardless of the outcomes of any investigation. EDO will ensure that the interests of anyone reporting child abuse in good faith are protected. Any employee who intentionally makes false and malicious allegations, will face disciplinary action.

The rights and welfare of the child are of prime importance. Every effort must be made to protect the rights and safety of the child throughout the investigation.

Children and community members with whom EDO works will be provided with information about how to report any child protection concerns about EDO employees and others.

### **Responding to disclosure by a child.**

- If a child/young person tells you that they have been abused, they may be feeling scared, guilty, ashamed, angry and/or powerless. You, in turn, may feel a sense of outrage, disgust, sadness, anger and/or sometimes disbelief.
- If a child discloses abuse, whatever the outcome, the child must be taken seriously.
- It is important for you to remain calm and in control and to reassure the child/young person that something will be done to keep them safe.

- If a child or young person's discloses they are being harmed you can show your care and concern for the child/young person by:
  - Listening carefully
  - Telling the child/young person you believe them
  - Telling the child/young person it is not their fault and that they are not responsible for the abuse
  - Telling the child/young person you are pleased that they told you.
- You will **not** be helping the child/young person if you:
  - Make promises you cannot keep, such as promising that you will not tell anyone
  - Push the child/young person into giving details of the abuse. Your role is to listen to what the child/young person wants to tell you and not to conduct an investigation (beware of asking any leading questions as this may prejudice any subsequent investigation)
  - Do not repeat the same questions as this may give the child the impression that you do not believe them
  - Indiscriminately discuss the circumstances of the child/young person with others not directly involved, where necessary and appropriate.

**Other actions to take:**

- *Protect the child* - Once an allegation is made there should be an immediate response that protects the child from further potential abuse or victimisation. The child may require medical assistance or counseling support. Where possible the child should remain in the place of residence or relevant program. Exceptions may be made where the child is deemed to be at risk of victimisation by peers as a result of the allegation or because the alleged abuse has occurred in home-based care. If the child is in immediate danger you should make arrangements for the child to go to a safe place.
- *Distance the alleged perpetrator* - The best interest of the child may warrant the standing down of a staff member or volunteer. The manager should recommend the appropriate action in writing to the CEO. Any staff member stood down in this manner continues to receive full pay - this measure recognises that that the member is entitled to a just process that does not pre-judge guilt or innocence. Any volunteers who are stood down should similarly receive any reasonable reimbursement of costs.
- *Confidentiality* - Confidentiality is a key principle of reporting and managing child protection concerns. The names of people involved and the details of the report will remain confidential. Information will only be released on a "need to know" basis or when required by Australian or overseas law or when a report to police or child protection authorities is made.

## **8. Involving Children and Young People**

EDO is committed to child and youth participation. Wherever possible, we will do this by providing opportunities for children's views to be heard and incorporate their views into our policies and programs.

Where appropriate, children will also be informed about EDO child abuse reporting process and who to contact if they are at risk, have been abused or are concerned about another child.

## **9. Educating the organisation on child abuse and EDO's child safeguarding policy**

EDO is committed to educating its employees and others key groups in the Child Safeguarding Policy (CSP), in how to reduce risks and create child safe environments. We will promote child safe practices which keep children safe in the organisation. Information provided will include how to report child abuse if they have concerns about an EDO employee or other representative in the organisation.

At a minimum, EDO will require all staff and volunteers and others involved in our Pasifik Program to read, understand and sign the Child Safeguarding Code of Conduct. All staff being inducted into the Pasifik Program will also be required to undertake a short on-line child safeguarding training course

Any additional EDO staff working on behalf of EDO with young people and/or children will also be required to read, understand and sign the Child Safeguarding Code of Conduct and undertake this on-line course.

No one is permitted to work with children or young people on behalf of EDO until the training is completed.

The training is accessible via Go1 (Child Protection for Employees – Introduction to Child Protection, by GRC Solutions)

## **10. Working with partners**

- EDO's CSP and code of conduct will be included in all partnership agreements and contracts.
- Where a partner does not have their own CSP and procedures in place, EDO will work with them to develop their own documents in line with the ACFID Code of Conduct.
- EDO will work with partners to include a child safeguarding risk assessment as part of its project design processes for all programs and activities involving or affecting children, this is monitored throughout the life of the project cycle.
- EDO will implement an agreed reporting mechanism with partners for concerns regarding child abuse or a breach of the CSP.
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## **11. Reporting on the reports**

A report on child protection incidents and how they were addressed by EDO will be submitted to the board once a year. This is a high-level report, including the number of reports and outcomes of investigations, without any identifying details.

EDO also commits to report child protection incidents to any donors that require such reporting under our funding agreements.

## **Related Legislation, Guiding Documents and EDO Policies**

## Federal Legislation

- Family Law Act 1975

## State Legislation

- *The Children's Guardian Act 2019 (NSW)*
- *Children Youth and Families Act 2005 (Vic)*
- *Child Wellbeing and Safety Act 2005 (Vic)*
- *Child Protection Act 1999 (Qld)*
- *Children and Community Services Act 2004 (WA)*
- *Children and Young People (Safety) Act 2017 (SA)*
- *Children, Young Persons and their Families Act 1997 (Tas)*
- *Children and Young People Act 2008 (ACT)*
- *Care and Protection of Children Act 2007 (NT)*

## Guiding Documents

- *Australian Council for International Development (ACFID) Code of Conduct (Commitment 1.4)*
- *United Nations Convention on the Rights of the Child (UNCRC).*

## Related EDO policies

- *EDO Code of Conduct*

<b>Approval, Implementation and Review</b>	
Policy Owner	Director, Finance and Operations
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Approved by:	CEO
Date of revision approval:	

## ANNEXURE A

### EDO Child Safeguarding Code of Conduct

Staff members and associates 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 and associates should conduct themselves in a manner consistent with their role as an EDO representative and a positive role model to children.

EDO has developed this Child Safeguarding Code of Conduct to protect children, staff and the organisation by providing clear behavioural guidelines and expectations.

#### **I WILL:**

- Conduct myself in a manner that is consistent the values of EDO.
- Provide a welcoming, inclusive and safe environment for all children and young people.
- Respect all children and treat them equally regardless of gender, race, religious or political beliefs, age, physical or mental health, sexual orientation, family and social background and culture, economic status or criminal background.
- Encourage open communication between all children, young people, parents, staff and volunteers and have children and young people participate in the decisions that affect them.
- Ask the organisation or institution I'm visiting or working with if there are any sensitivities I should be aware of before starting the activity.
- Be aware of possible triggers in my interaction with children and young people and take measures to mitigate possible impact.
- Immediately report any concerns of child abuse or breach of the EDO Child Safeguarding Policy or this Code of Conduct according to the guidelines outlined in the Child Safeguarding Policy.
- Immediately disclose all charges, convictions and other outcomes of an offence that relates to child exploitation and abuse, including those under traditional law, which occurred before, or during my association with EDO.
- Take responsibility for ensuring that I am accountable and do not place myself in positions where there is a risk of allegations being made.
- Self-assess my behaviours, actions, language and relationships with children.
- Comply with all relevant Australian and overseas child protection legislation, including labour laws in relation to child labour.
- Consult with relevant human resources or managerial staff if I have any questions regarding child protection and how it relates to my work/relationship with EDO.
- Comply with the EDO Child Safeguarding Policy.
- Whenever possible, ensure that another adult is present when working near children.
- Make sure I'm accompanied by a staff member or representative of the organisation or institution I'm visiting or working with at all times.
- Be a positive role model for children.

#### **I WILL NOT:**

- Engage in behaviour that is intended to shame, humiliate, belittle, degrade or exploit children.

- Use language or behaviour towards children that is inappropriate, harassing, abusive, sexually provocative, discriminatory, demeaning or culturally inappropriate.
- Do things of a personal nature that a child can do for him/herself, such as assistance with toileting or changing clothes.
- Invite unaccompanied children into my home/hotel or other private location, unless they are at immediate risk of injury or in physical danger.
- Sleep in the same room or bed as a child.
- Smack, hit or physically assault or physically punish children.
- Involve children in sexual relationships or any form of sexual activity, including paying for sexual services.
- Develop relationships with children that may be deemed exploitative or abusive.
- Give or provide children with alcohol or illegal drugs.
- Show favoritism.
- Give gifts, benefits or favours that can be seen as a gesture to bribe or groom a young person or vulnerable adult.
- Behave provocatively or inappropriately with a child.
- Condone or participate in, behaviour of children that is illegal, unsafe or abusive.
- Act in a way that shows unfair and differential treatment of children.
- Hold, kiss, cuddle or touch a child in an inappropriate, unnecessary or culturally insensitive way.
- Seek to make contact and spend time with any child or young person outside the program times. This includes online relations, such as befriending on Facebook, Snapchat, telephone calls etc.
- Use any computers, mobile phones, video and digital cameras, or social media inappropriately, nor use them for the purpose of exploiting or harassing children.
- Hire minors for domestic or other labour.
- Spend time alone with a child or young person with whom I work, either at the venue, after the activity, in a vehicle, etc. Two adults should be present during any interaction with children and young people. If that is not possible, or desirable, e.g. a child has asked to speak in private, ensure **visibility** at all times

**WHEN PHOTOGRAPHING OR FILMING A CHILD, OR USING CHILDREN'S IMAGES FOR WORK-RELATED PURPOSES, I WILL:**

- Obtain informed and documented consent of the child and his/her parents or guardians before photography/filming.
- Provide an explanation on how the photograph/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.
- Ensure that children should be adequately clothed and not in poses that could be seen as sexually suggestive.
- Ensure that images are honest representations of the context and facts.
- Ensure file labels, meta data or text descriptions do not reveal identifying information about a child when sending images electronically or publishing images in any form.
- Take care to ensure the local traditions or restrictions for reproducing personal images are adhered to before photographing or filming a child.

I, \_\_\_\_\_, acknowledge that I have read and understood the EDO Child Safeguarding Policy and Child Safeguarding Code of Conduct. I understand that any breach of the Child Safeguarding Code of Conduct may result in the



termination of my employment or assignment according to EDO's disciplinary procedures and prosecution by the relevant authorities.

Signature: \_\_\_\_\_

Name in full: \_\_\_\_\_

Date: \_\_\_\_\_

<b>Approval, Implementation and Review</b>	
Policy Owner	Director, Finance and Operations
Policy Approver:	CEO
Date originally approved:	16/07/2021
Frequency of review:	every three years
Date of most recent review:	26/08/2024
Version Number:	V.1
Approved by:	CEO
Date of revision approval:	

**Annexure B**  
**Child Safeguarding Incident Report Form**

Confidential

Please complete this form if you believe that child abuse or exploitation, or a breach of the Child Safeguarding Code of Conduct, may have occurred or that a child's safety is in danger. All child safeguarding concerns should be reported immediately to the P& C Manager and/or the CEO, but no later than 24 hours of becoming aware of the breach. The report must be treated in strict confidence.

All reports made in good faith will be viewed as being made in the best interests of the child, regardless of the outcomes of the investigation. Any individual who intentionally makes false and malicious allegations will face disciplinary action.

In all investigations, the Best Interests of the Child will be a primary consideration.

Today's date:
Today's time:
Today's venue/address:
Name of the child:
Age of the child:
Name of parents/guardians:

**Is the child in immediate danger or risk of harm? If yes, what steps have been taken to remove the child from harm?**

**Details of Concern / Suspicion / Incident for all internal and external child safeguarding reports** (Describe what happened: time/dates/names of persons involved/behaviour or signs observed/any other details.):