



POLICY ON CHILD PROTECTION

1. PURPOSE

- 1.1. This policy articulates the framework for managing and reducing the risk of child abuse by persons engaged in delivering WWF-Australia's activities or persons or organisations funded by, or through, WWF-Australia.

2. BACKGROUND

- 2.1. Child abuse is not tolerated by WWF-Australia. WWF-Australia is committed to protecting children, regardless of gender, country of origin, race, or religious belief, aligning with the United Nations Convention on the Rights of the Child (UNCRC) which states that children should be protected from all forms of physical and mental violence, injury, abuse, neglect, maltreatment and exploitation, including sexual abuse.
- 2.2. WWF-Australia is also a signatory to the Australian Council for International Development's (ACFID) Code of Conduct which requires members to commit to:
 - 2.2.1. Respecting, protecting, and promoting internationally recognised human rights including civil and political, economic, social and cultural rights and with particular emphasis on... the protection of children.
 - 2.2.2. The safety and best interests of all children accessing their services and programs or involved in campaigns, voluntary support, fundraising, work experience or employment and, in particular, to minimising [their] risk of abuse.
 - 2.2.3. A documented Child Protection Policy and procedures for dealing with children which are regularly reviewed, appropriate to the circumstances and the extent of their contact with children.
 - 2.2.4. Demonstrate a willingness to invest in their partner organisations to enable partners to enhance their ability to help the signatory organisation meet its obligations... in the [area] of.... child protection.
 - 2.2.5. Including and addressing the needs and rights of vulnerable and marginalised people and their representatives in all aspects of their aid and development activity [including] children.

3. POLICY

- 3.1. WWF-Australia will not permit any personnel to work with children if they pose an unacceptable risk to children's safety or well-being.
- 3.2. Managers and supervisors will assess and eliminate or mitigate the risk of child abuse associated with the delivery of their programs and activities. WWF-Australia requires its Partner Organisations to similarly assess and manage this risk.
- 3.3. WWF-Australia will not fund, or provide other forms of support, to any individual or organisation that plans to work with children, unless they meet WWF-Australia's child protection compliance standards in their operations and activities.
- 3.4. Managers and supervisors will not knowingly engage, directly or indirectly, anyone who poses an unacceptable risk to children, nor will WWF fund any individual or organisation



that does not meet WWF's child protection compliance standards in their operations and activities.

- 3.5. WWF requires the active support and cooperation of contractors and other NGOs implementing WWF-funded activities. Contractors and NGOs must meet the terms of the Policy on Child Protection and are held accountable, through contracts and audits, for complying with it.
- 3.6. WWF-Australia endorses the Australian aid program's approach to child protection which aims to reduce the risks of child abuse by persons engaged in delivering Australian aid program activities; and requires all AusAID-accredited NGOs to develop their own child protection code of conduct and ensure that all personnel implementing AusAID-funded aid activities agree to and abide by it.

4. SOURCES OF AUTHORITY

4.1. International

- *The United Nations Convention on the Rights of the Child*
- *Optional Protocol to the United Nations Convention on the Rights of the Child on the sale of children, child prostitution and child pornography*
- *Geneva Declaration of the Rights of the Child*
- *ILO Convention 182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour*

4.2. Federal Legislation

- *Criminal Code Act 1995*
- *Crimes Act 1958*

4.3. State Legislation

Australian Capital Territory

- *Children and Young Persons Act 1999*

New South Wales

- *The Children and Young Persons (Care and Protection) Act 1998*

Northern Territory

- *The Community Welfare Act*

Queensland

- *The Child Protection Act 1999*

South Australia

- *Children's Protection Act 1993*

Tasmania

- *Children, Young Persons and Their Families Act 1997*

Victoria

- *Children, Youth and Families Act 2005*



- *The Child Wellbeing and Safety Act 2005*

WA

- *Children and Community Services Act 2004*

4.4. WWF

- *Policy on Human Rights*
- *Recruitment and Selection Policy*

4.5. AusAID

- *AusAID Child Protection Policy¹*
- *Child Protection Procedures Manual 2009²*
- *AusAID NGO Accreditation Guidance Manual v2*

4.6. Australian Council for International Development

- *ACFID Code of Conduct*

5. SCOPE

5.1. This policy applies to all WWF-Australia board members, staff, volunteers and contractors.

5.2. This policy applies to all Partner Organisations and their board members, staff, volunteers and contractors implementing aid and development activities funded by, or through, WWF-Australia.

6. DEFINITIONS

Child (plural 'children')	In accordance with the United Nations Convention on the Rights of the Child, 'child' means every human being below the age of 18 years unless under the law applicable to the child, majority is attained earlier.
Child abuse	All forms of physical, mental, emotional or sexual abuse, maltreatment or exploitation directed towards children. Physical abuse includes violence, injury and physical neglect. Mental and emotional abuse includes verbal assaults and bullying. Exploitation includes child labour, child pornography and commercial sexual exploitation. Both boys and girls can be the victims of child abuse. Child abuse can be inflicted on a child by men or women, or by young people themselves. In some cases, professionals and other adults working with children in positions of trust abuse children.
Child protection	An activity or initiative designed to protect children from any form of harm, particularly arising from child abuse or neglect.
Child pornography	In accordance with the Optional Protocol to the Convention on the Rights of the Child, 'child pornography' means 'any representation, by whatever means, of a child engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a child for primarily sexual purposes.' For further information regarding child

¹ http://www.ausaid.gov.au/Publications/Pages/7954_7703_6074_4255_4227.aspx

² *ibid* 1



	pornography offences, refer to the Criminal Code Act 1995 (Australia).
Criminal record check	In Australia, national criminal record checks are available through state and territory police departments. They take around 20 working days to perform. Overseas, different procedures apply in each country and may take six weeks or longer. Individuals need to give their consent to a criminal record check and should be informed of the purpose for which the resulting police clearance certificate will be used.
Harm	Harm in the child protection context is defined as the detrimental impact on the physical, psychological, emotional or social safety, well-being and development of a child as a result of the actions or inactions of another person.
Personnel	Personnel either employed by an organisation, or engaged by an organisation on a sub-contract basis, or engaged by an organisation on a voluntary or unpaid basis.
Police clearance certificate	The certificate showing the results of a criminal record check, issued by the police or other authority responsible for conducting such checks.
Risk	Anything that can cause harm or loss to a child
Risk of harm	<p>The likelihood of inflicting harm to children (either directly or as a consequence of other actions) and the severity of that risk. In the child protection context, a child would be considered to be at risk if they are in a situation where there is a high likelihood that the child's safety and/or well-being will be severely compromised.</p> <p>Some areas of risk of harm may include:</p> <ul style="list-style-type: none"> • Personnel (employees and volunteers): management, training, recruitment and supervision • Place/physical environment: any areas children may access or use • Activities and programs: programs, outreach, activities • Information: dissemination of relevant information, recording information, storage of information
Risk management	Identifying and assessing all potential sources of harm and taking steps to decrease the likelihood that harm will occur.
Screening	This term includes criminal record checks (often called 'police checks') which are conducted to determine if a person has any known criminal history. Additional screening measures may include: 'working with children' checks, identity checks, verbal referee checks and targeted, behavioural-based interview questions.
Working with children	Working in a position that involves regular contact with children, either under the position description or due to the nature of the work environment.

7. RESPONSIBILITIES

7.1. **Executive Management** are responsible for:



- Ensuring that WWF-Australia and all staff members, volunteers and contractors comply with all relevant legislation and WWF-Australia policies (including this one).
- Ensuring that all Partner Organisations and their board members, staff members, volunteers and contractors implementing aid and development programs funded by, or through, WWF-Australia, comply with all relevant legislation and WWF-Australia policies (including this one).

7.2. People & Organisation Development are responsible for:

- Assisting managers and supervisors with the construction of appropriate training and development programs, designed to aid compliance with this policy.
- Providing managers and supervisors and other staff members with support and assistance during any complaint or dismissal process.
- Managing the recruitment and selection process for all employees, interns and volunteers in accordance with the Recruitment and Selection Policy.
- Ensuring selection processes include relevant screening processes.
- Arranging and maintaining records of criminal record checks.

7.3. Managers and supervisors are responsible for:

- Ensuring that they comply with all relevant legislation and WWF-Australia policies.
- Ensuring all WWF activities that involve children are safe and without unacceptable risks for children.
- Recognising and taking appropriate action to either report on or eliminate activities that pose an unacceptable risk to children.
- Communicating this Policy to all Partner Organisations, and ensuring that Partner Organisations communicate this Policy to their board members, staff, volunteers and contractors implementing aid and development activities funded by, or through, WWF-Australia.
- Approving activities and/or funding only when the requirements of this Policy have been met.
- Providing the CEO and People & Organisation Development Director with all information that relates to breaches or potential breaches of this policy.
- Seeking support and assistance from People & Organisation Development as required.

7.4. All employees and volunteers are responsible for:

- Acting in the best interests of the health, safety and welfare of any child encountered during the delivery of WWF's activities or programs.
- Immediately reporting any concerns relating to child abuse by anyone covered by this policy.
- Completing criminal record check forms, as required.
- Complying with the Child Protection Code of Conduct, as required.



8. PROCEDURES

PART A

- 8.1. Child-safe recruitment and screening processes, including criminal record checks prior to engagement, targeted interview questions and verbal referee checks are used for all personnel (including volunteers and independent contractors) who are deemed likely to work with children on the findings of the Child Protection Risk Assessment (Annex 2).
- 8.2. Where criminal record checks are required, they are conducted for each country in which the individual has lived for 12 months or longer over the last five years and for the individual's country of citizenship. Individuals need to give their consent to a criminal record check and are informed of the purpose for which the resulting police clearance certificate will be used, including being sighted by WWF-Australia (and AusAID where an AusAID-funded activity is involved). WWF-Australia recognises that, in limited instances, it may prove impossible to obtain a reliable criminal record check and will take this into account during selection processes.
- 8.3. WWF-Australia's child protection complaints management procedure requires that complaints are referred by any WWF-Australia implementing Partner Organisation, any external organisation or any individual to the Chief Executive Officer of WWF-Australia. Complaints are referred by the Chief Executive Officer for advice to a committee comprising the People & Organisation Development Director, Conservation Director or any other member of the Executive Team deemed appropriate to the matter. The Chief Executive Officer, on advice, will determine appropriate action which may include internal disciplinary action, police referral or other actions.
- 8.4. Child protection training is provided and arranged, where necessary, by:
 - o People & Organisation Development for relevant WWF-Australia staff.
 - o Trained WWF-Australia staff, assisted by AusAID staff from the relevant Australian diplomatic mission, for relevant WWF-Australia implementing partner office staff.
- 8.5. A Child Protection Code of Conduct (see Annex 1), is signed by all staff who are likely to be working with children. All signed Codes of Conduct are retained by People & Organisation Development.
- 8.6. WWF-Australia requires its implementing Partner Organisations to similarly provide this commitment to WWF-Australia in writing.
- 8.7. WWF-Australia undertakes to include a provision in all employment contracts that it has the right to dismiss the employee or transfer the employee to other duties if he/she breaches the Child Protection Code of Conduct.
- 8.8. WWF-Australia requires its implementing Partner Organisations to include a similar provision in all their employment contracts.
- 8.9. WWF-Australia has a Child Protection Policy Compliance Regime which includes:
 - o Ensuring that all relevant WWF-Australia staff comply with the Policy, including signing the Code of Conduct.
 - o Ensuring that employment contracts for all WWF-Australia staff refer to the Policy.
 - o Communicating the Policy to WWF-Australia's implementing partner offices in writing and requiring their compliance.



- Including reference to the Policy in annual contractual agreements with the implementing Partner Organisations.
 - Monitoring implementing Partner Organisations' compliance with the Policy during annual project and program monitoring missions.
- 8.10. WWF-Australia has a risk assessment tool (see Annex 2) which is to be used to assess staff, volunteers and contractors in relation to their contact with children, as well as to assess aid and development programs for any potential of risks to children.
- 8.11. In addition to this, where WWF-Australia is responsible for risk assessment for any activity, including any AusAID activity, that involves working with children (including volunteer sending assignments), the overall risk assessment process will include risks to children.
- 8.12. WWF-Australia complies with all legislative and contractual requirements relating to Child Protection, including AusAID's Child Protection Policy.

PART B

- 8.13. This Policy will be included in all contracts and memorandums of understanding with Partner Organisations.
- 8.14. No later than November of each financial year, WWF-Australia will organise an induction/workshop – which may be held either face-to-face or by Skype or phone conference – at which this Policy, its importance and consequences of non-compliance, will be presented to the Partner Organisation's executive and relevant staff, volunteers and contractors.
- 8.15. All aid and development activities funded by or through WWF-Australia and Partner Organisations and relevant staff, volunteers and contractors will be monitored to ensure they are not in breach of this Policy. Monitoring will be proportionate to the amount of funding and the risk of breach (as a result of the funded activities, organisation or skills and experience of board and staff) and will be recorded in the program/project file and signed by the relevant program/project manager. Monitoring will include at least one country visit annually at which this Policy will be made the subject of special presentation.
- 8.16. Applying this Policy may be difficult in some situations and sound judgement will be necessary. The Policy cannot provide a specific response for every circumstance. WWF will apply the spirit and intent of this clause in the conduct of aid and development activities.
- 8.17. If this Policy does not provide a clear answer on how to comply in a particular circumstance, WWF will document clearly the decisions made and the reasons behind them and make them available to both recipients and donors.
- 8.18. Feedback is important to WWF and our Partner Organisations as it encourages improvement. Therefore all feedback is welcome. Feedback will be directed to the relevant department of WWF-Australia for action. A complaint regarding an alleged breach of the ACFID Code of Conduct can be made directly to ACFID.

9. CONFIDENTIALITY AND DOCUMENT CONTROL

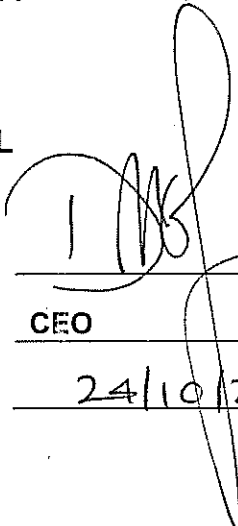
- 9.1. This Policy is available on Wiki Habitat for all employees.



9.2. A copy of the Policy will be provided to any person or organisation on request.

10. APPROVAL

Name:

 → DERMOT O'GORMAN

Title:

CEO

Date of Issue:

24/10/2012.



ANNEX 1: Child Protection Code of Conduct

Child Protection Code of Conduct

I, (name)

engaged by (organisation)

agree that while implementing WWF activities, including AusAID-funded aid activities, I will:

- treat children with respect regardless of race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status
- not use language or behaviour towards children that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate
- not engage children in any form of sexual activity or acts, including paying for sexual services or acts, where under the law(s) applicable to the child (including Part IIIA of the Australian *Crimes Act 1914 (Cwlth)* as amended), the child is below the age of consent or the act(s) are an offence under relevant laws
- wherever possible, ensure that another adult is present when working in the proximity of children
- not invite unaccompanied children into my home, unless they are at immediate risk of injury or in physical danger
- not 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
- not use any computers, mobile phones, or video and digital cameras inappropriately, and never to exploit or harass children or to access child pornography through any medium (see also 'Use of children's images for work-related purposes' below)
- refrain from physical punishment or discipline of children (excluding my own children)
- refrain from hiring 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
- comply with all relevant Australian and local legislation, including labour laws in relation to child labour
- immediately report concerns or allegations of child abuse in accordance with appropriate procedures.



Use of children's images for work-related purposes

When photographing or filming a child for work-related purposes, I must:

- before photographing or filming a child, assess and endeavour to comply with local traditions or restrictions for reproducing personal images
- before photographing or filming a child, obtain consent from the child or a parent or guardian of the 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
- ensure file labels do not reveal identifying information about a child when sending images electronically

I understand that the onus is on me, as a person engaged by, to use common sense and avoid actions or behaviours that could be construed as child abuse.

Signed:

Date:

Witness signature:

Witness name:

Date:



Annex 2: CHILD PROTECTION RISK ASSESSMENT TOOLS

A. CHILD PROTECTION RISK ASSESSMENT CHECKLIST

Please complete the following checklist in response to questions 1 to 6. If, at the end of the checklist, the answer to question #6 is 'No', then proceed to *Section B. Child Protection Scenarios and Guidance* and *Section C. Actions Taken to Eliminate or Mitigate Risks*.

1.

Are personnel involved in the activity aware of and understand the Policy on Child Protection?

<input type="checkbox"/> Yes	Go to #2
<input type="checkbox"/> No	Ensure they have & read a copy of policy then go to #2

2.

Will personnel come into contact with children in the course of their work?

<input type="checkbox"/> Yes	Go to #3
<input type="checkbox"/> No	No further action required

3.

Have personnel signed the Child Protection Code of Conduct?

<input type="checkbox"/> Yes	Keep on file, Go to #4
<input type="checkbox"/> No	Print, sign, witness, file. Go to #4

4.

Is it necessary for them to come into contact with children?

<input type="checkbox"/> Yes	Go to #5
<input type="checkbox"/> No	Remove potential for contact

5.

Is there a risk of harm?

<input type="checkbox"/> Yes	Go to #6
<input type="checkbox"/> No	Monitor if the situation changes to 'Yes'

6.

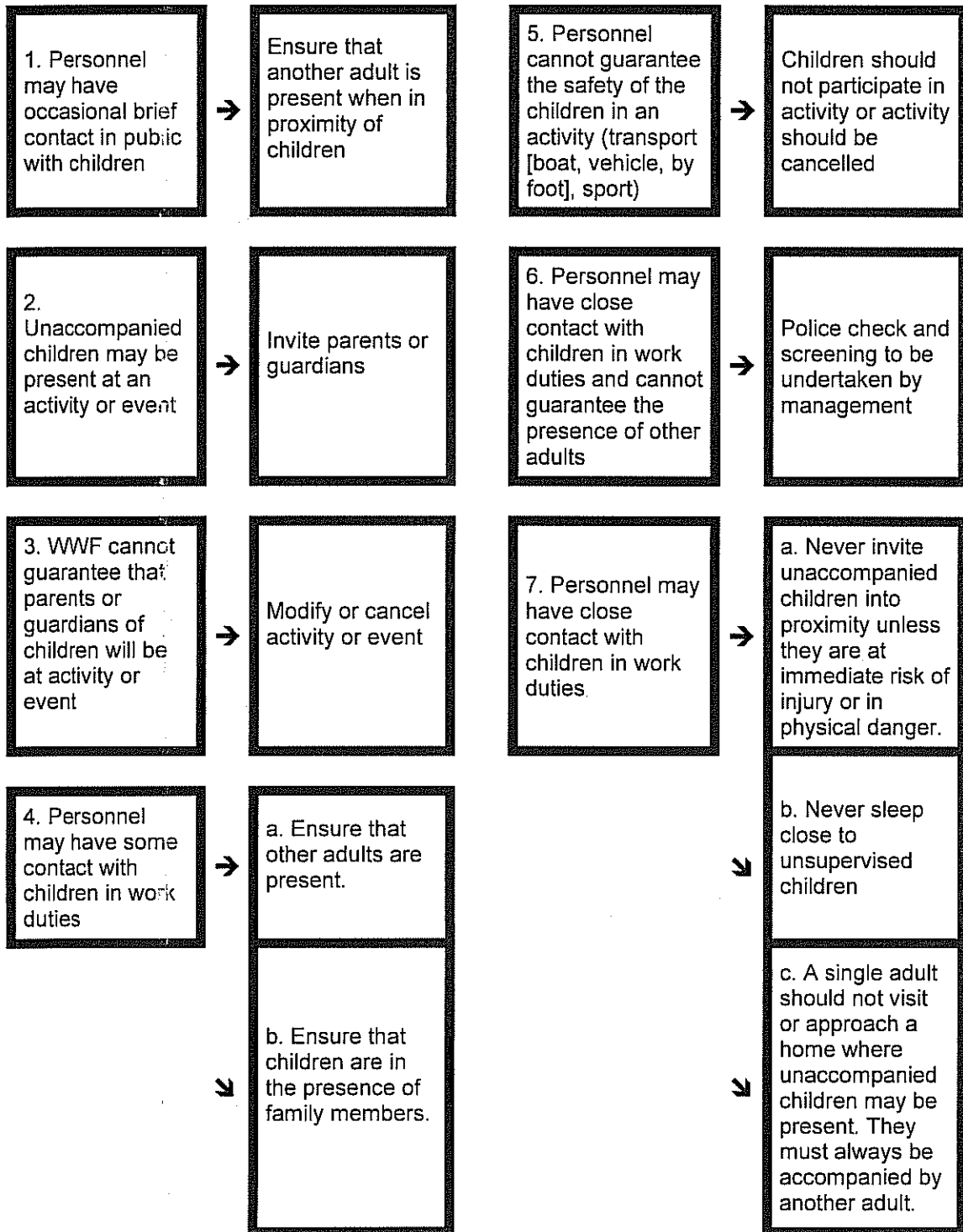
Can the risk of harm be eliminated?

<input type="checkbox"/> Yes	Eliminate harm
<input type="checkbox"/> No	Go to Section B



B. CHILD PROTECTION SCENARIOS AND GUIDANCE

If personnel (staff, volunteers, contractors) will have contact with children during WWF work activities (events, activities, speaking events, donation collecting, fundraising, site visits, community programs etc.), use the following guidance:





Please send the completed checklist, indicate the relevant scenarios and guidance, document actions taken on the following page and forward all the completed paper work to People & Organisation Development, WWF-Australia.

C. ACTIONS TAKEN TO ELIMINATE OR MITIGATE RISKS

The actions I have taken to eliminate or significantly mitigate the risk of harm to children in accordance with the above guidelines are:

