



# CHILD PROTECTION POLICY

Date of drafting and first approval: [May 2018](#)

Date of review and second approval: [May 2020](#)

Date of review and third approval: [December 2021](#)

## INTRODUCTION

Humanitarian Advisory Group believes in the right of all children to live free from any form of violence, exploitation, abuse or neglect.<sup>4</sup> We are committed to ensuring that our people and activities do not harm children, and that we promote a protective environment for children in our research and in delivery of services. We are committed to taking the actions outlined in this policy to prevent and respond to any child protection concerns or allegations made in relation to our people or activities.

This policy outlines Humanitarian Advisory Group's commitment to prevention, detection and response to child protection concerns. It outlines the responsibilities for Humanitarian Advisory Group staff and partners to reduce and manage risk and address child protection incidents.

## WHO THIS POLICY APPLIES TO

This policy applies to all HAG employees, associates, advisors, interns, and partners including contractors, subcontractors, volunteers, and other members of the organisation. It is the responsibility of all staff and partners to act in accordance with this policy at all times and report all suspected breaches or non-compliance within the timeframes and processes outlined in this policy.

### **Working with partners**

HAG is committed to work with all partners to ensure they understand, and provide written agreement to work in line with, this policy. HAG is further committed to understanding any partner requirements and policies and providing written agreement to abide with these as well. Once written agreement of this policy and a discussion with the partners about mutual responsibility has taken place and been documented, it is the responsibility of the partner to implement the policy.

HAG will check in with partners on an annual basis to discuss how the policy has been implemented and provide any further support if required in relation to addressing implementation challenges.

Note that in some circumstances a risk assessment may determine that a particular activity or donor requires specific activities or standards to be put in place. In this situation it is the responsibility of HAG to work with the partners to ensure that these standards are met.

## GUIDING PRINCIPLES

**Zero Tolerance:** Humanitarian Advisory Group does not tolerate violence, exploitation, abuse or neglect of children. We will not knowingly directly or indirectly engage with, employ or sub-contract, any person who does not sign and comply with this child protection policy, and/or who does not meet our child protection policy, and/or who does not meet our child protection compliance standards during recruitment and screening processes.

**Immediate action:** Any concerns or allegations of a breach of the Code of Conduct and child protection policy will result in immediate investigation. During investigation an employee or contracted partner may have their contract suspended and findings of a breach may result in the termination of employment, contract or other agreement. If appropriate the concern or allegation will be reported to local police authorities for criminal investigation.

**Shared responsibility:** It is the responsibility of all persons employed, sub-contracted, or otherwise associated with Humanitarian Advisory Group to identify, manage or reduce the risk to children that may be associated with their functions. All relevant persons are aware of the Child Protection Policy through internal communication and training.

**Best Interests of the child:** The best interests of the child will be our primary consideration in any work that involves children, and in receiving and managing any child protection concerns or allegations. Reporting of allegations under this policy must respect the rights of both the alleged victim and the alleged offender.

**Transparency and Fairness:** Child protection concerns or allegations will be received and managed in a professional, timely and responsive manner, in accordance with this Policy.

## PEOPLE — SCREENING AND RECRUITMENT

### Screening: Contact with children

All persons employed, sub-contracted, or otherwise associated with Humanitarian Advisory Group require:

- A National Police Record Check (obtained from relevant State in Australia or the Australian Federal Police if to be based overseas) prior to engagement and then every three years or when the person has a change of circumstances. If a reliable criminal record check is unavailable, a statutory declaration or local legal equivalent, outlining efforts made to obtain a foreign police check, and disclosing any charges and spent convictions related to child exploitation, may be accepted instead.
- Verbal referee checks as appropriate prior to engagement and then every three years or when the person has a change of circumstances.
- Requested disclosure by the applicant within the terms of the Purchase Order as to whether they have been charged with child exploitation or abuse offenses and documentation of their response.

Checks must be conducted for each country in which the individual has lived for 12 months or longer over the last 5 years, and for the individual's country of citizenship.

It is the responsibility of the Directors to maintain records of National Police Record Checks, verbal referee checks, and responses to the request for disclosure.

A person sub-contracted by Humanitarian Advisory Group solely for the purposes of undertaking desk-based services under the direct supervision of a Humanitarian Advisory Group staff member, and who undertakes no communication, either written or verbal, with any external stakeholders including clients, donors, or communities may, at the discretion of the Project Lead, be exempt from obtaining a National Police Record Check.

### **Screening: Additional Requirements for Working with Children**

All HAG staff require a Working with Children check. Any persons sub-contracted or otherwise associated with Humanitarian Advisory Group, who intend to work with children in Australia or overseas may require a Working with Children check.

Any HAG staff member, consultant or intern who intends to undertake research or services on behalf of Humanitarian Advisory Group that involves working with children also require demonstrated knowledge and understanding of ethical issues associated with research, monitoring and evaluation and other participatory processes involving children and young people, including a good understanding of the [RDI Principles and Guidelines for Ethical Research and Evaluation](#).

### **Additional Requirements Prior to Engagement**

All persons employed, sub-contracted, or otherwise associated with Humanitarian Advisory Group must, prior to their engagement:

- Read, agree to abide by, and sign this policy
- Discuss anything they do not understand with the Directors who can provide more specific training support or information.

Directors are responsible for maintaining records of signed Child Protection Policy and Code of Conduct for Directors, Staff, Consultants engaged regularly on multiple projects, and students and/or interns.

Operations and Admin lead is responsible for maintaining records of signed Child Protection Policy and Code of Conduct for partners and sub-contractors.

## **PEOPLE — BEHAVIOUR**

Humanitarian Advisory Group representatives and partners will:

1. Treat all children with respect
2. Not use language or behaviour towards children that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate
3. Not engage children under the age of 18 in any form of sexual intercourse or sexual activity, including paying for sexual services or acts, regardless of the age of majority or age of consent locally. Mistaken belief about the age of a child is not a defence.

4. Wherever possible, ensure that another adult is present when working in the proximity of children.
5. Not take children to their own home/hotel or sleep in the same room or bed as a child and not invite unaccompanied children into their home, unless they are at immediate risk of injury or in physical danger, ensuring that another adult is present where possible.
6. Not smack, hit, physically assault or use physical punishment on children.
7. Not condone or participate in, behaviour of children that is illegal, unsafe or abusive.
8. Not hold, kiss, cuddle or touch a child in an inappropriate, unnecessary or culturally insensitive way.
9. Not seek to make contact and spend time with any child or young person outside what is reasonably required to fulfill the work of Humanitarian Advisory Group.
10. Not use any computers, mobile phones, video and digital cameras or social media inappropriately, and never to exploit or harass children or access child exploitation material through any medium.
11. Not hire minors as domestic or other labour and comply with all relevant Australian and local legislation, including labour laws in relation to child labour.
12. Immediately report concerns or allegations of child exploitation and abuse and policy noncompliance by anyone within the scope of this policy in accordance with appropriate procedures.
13. Immediately disclose all charges, convictions and other outcomes of an offence, which occurred before or occurs during my association with HAG that relate to child exploitation and abuse.
14. Be aware of behavior and avoid actions or behaviours that could be perceived by others as child exploitation and abuse.

## PEOPLE — PHOTOGRAPHING AND FILMING A CHILD

Humanitarian Advisory Group representatives and partners will:

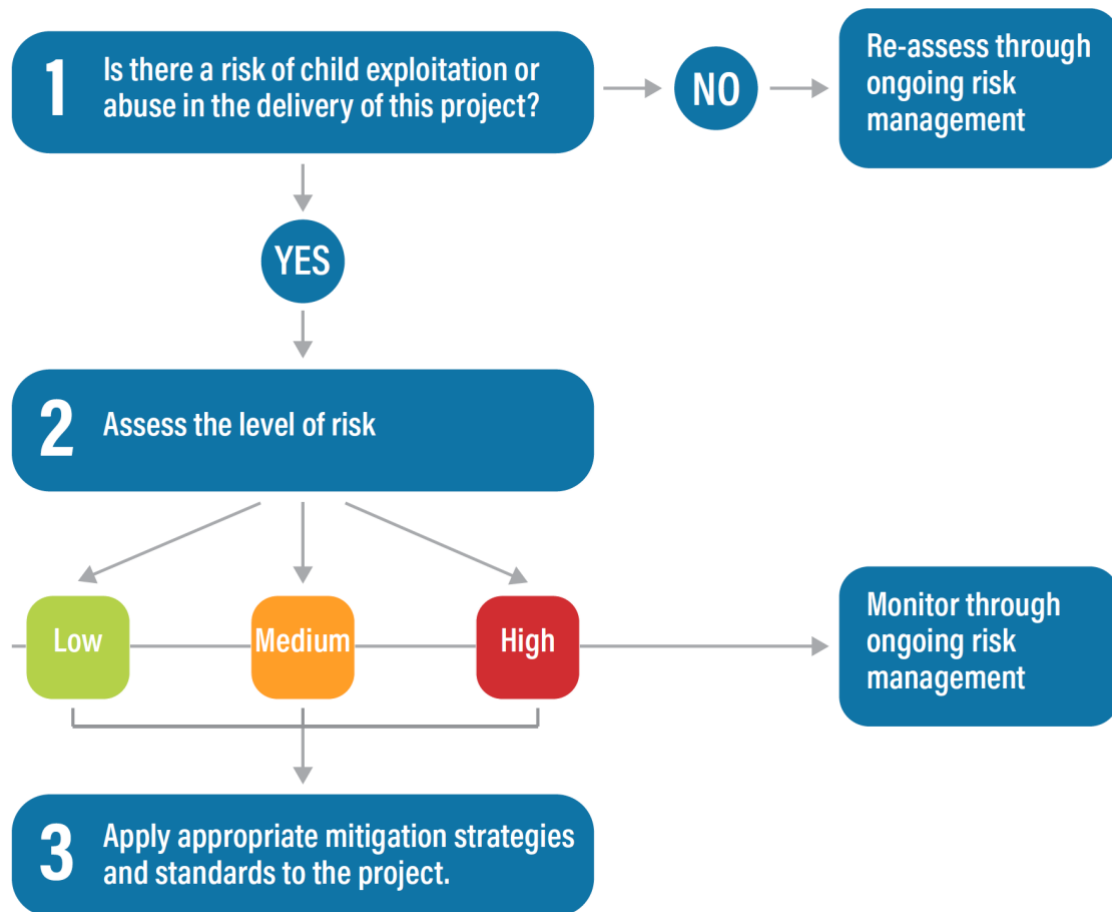
1. Not photograph or video a child's face such that they may be identifiable.
2. Obtain informed consent from the child and parent or guardian, having explained how the images will be used, before taking an unidentifiable photo of a child (see HAG photo consent form).
3. Take care to ensure local traditions for reproducing personal images are adhered to before photographing or filming a child.
4. 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 submissive.
5. Ensure images are honest representations of the context and facts.
6. 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.

# RISK - ASSESSMENT AND MANAGEMENT

This policy takes a risk-based, proportional approach to preventing and responding to child protection. Our responses and management measures will be specific to reduce and address risks within the specific contexts in which we work. HAG's child protection risk management approach aligns with DFAT's Child Protection Minimum Standards as outlined in the [Child Protection Policy](#). This approach involves three steps.

1. Risk identification
2. Risk management planning
3. Apply appropriate mitigation steps and standards

Our Risk Management Policy outlines our approach to manage all risk, including child protection across our work. The following outlines the process for assessing child protection risks, noting that there are additional processes and forms to comply with DFAT standards for DFAT funded projects (see Annex of Risk Management Policy).



## 1. Risk identification

The purpose of this step is to consider child protection risks in any given project. Risk assessments are to be undertaken prior to starting any new project. The risk assessment requires inclusion of activity specific,

organisational, and reputational child protection risks. The assessment must be maintained annually, and updated more regularly if required (for example, for travel or a change in the circumstance of the activity).

To identify any possible risks and determine the level of risk use the HAG risk management policy (excerpt below) and [DFAT guidance](#) on establishing the child protection risk context.

	Low	Medium	High
As HAG is not a child-focused organisation, activity level of contact with children will be considered on a project basis.	<ul style="list-style-type: none"> <li>• All compliance requirements in place; <b>and</b></li> <li>• The project does not involve any individuals working in-country</li> </ul>	<ul style="list-style-type: none"> <li>• All compliance requirements in place; <b>and</b></li> <li>• The project involves or may involve contact with children – this includes any work in-country, remote or rural area.</li> </ul>	<ul style="list-style-type: none"> <li>• Not all compliance requirements in place; <b>or</b></li> <li>• The activity involves working with children</li> </ul>

HAG holds an internal risk management and safeguarding working group meeting quarterly to review on going and emerging risks, including child protection considerations, for HAG and our partners.

### 2. Risk management planning

For each risk, project leads, and where appropriate partners, are required to consider the action that can be taken to avoid or reduce the risk and the action that can be taken to mitigate the impact if the risk does occur.

This involves determining what mitigation steps and standards need to be applied. HAG team members should refer to the [DFAT child protection policy](#) for guidance with DFAT funded projects.

### 3. Apply appropriate mitigation measures and standards

Controls and measures to manage any risk of child protection will be implemented by project leads, and where appropriate, accompanying partners.

## REPORTING AND INVESTIGATION

- Mandatory and immediate (incident and non-compliance reporting) – HAG staff and/or partners must immediately report the child protection incident to HAG. Reports should be made via email and submitted to the compliance focal point or Co-Director (Beth Eggleston or Jess Lees [beggleston@hag.org.au](mailto:beggleston@hag.org.au) / [jlees@hag.org.au](mailto:jlees@hag.org.au) ). For DFAT funded projects it must also be reported to DFAT immediately at [childprotection@dfat.gov.au](mailto:childprotection@dfat.gov.au)

Note the current compliance focal point is: Operations and Admin, Kelly Nichols. Reports can be sent direct to Kelly at [knichols@hag.org.au](mailto:knichols@hag.org.au) or to [admin@hag.org.au](mailto:admin@hag.org.au) which is managed by the compliance focal point and only accessible to that person.

Managers or compliance Focal point receiving reports are required to immediately pass on the report to Co-Director Jess Lees. The Co-Director has the responsibility of leading the response to the report, including

the investigation. Where any alleged report concerns the Director, reports should be made to Compliance Focal Point (Operations and Admin, Kelly Nichols [knichols@hag.org.au](mailto:knichols@hag.org.au) or [admin@hag.org.au](mailto:admin@hag.org.au)) who will appoint an independent investigator external to HAG.

### **Delegations**

Where both Directors are on leave / unavailable an Executive will be appointed in an acting role. When Operations and Administration / Compliance Officer is on leave / unavailable an out of office will be established for the admin@ email address that receives reports directing emailers to the email address of a deputy Compliance Officer. The Deputy will not have access to the admin@ email to ensure HAG can maintain a culture of confidentiality.

### **Who reports and what is reported?**

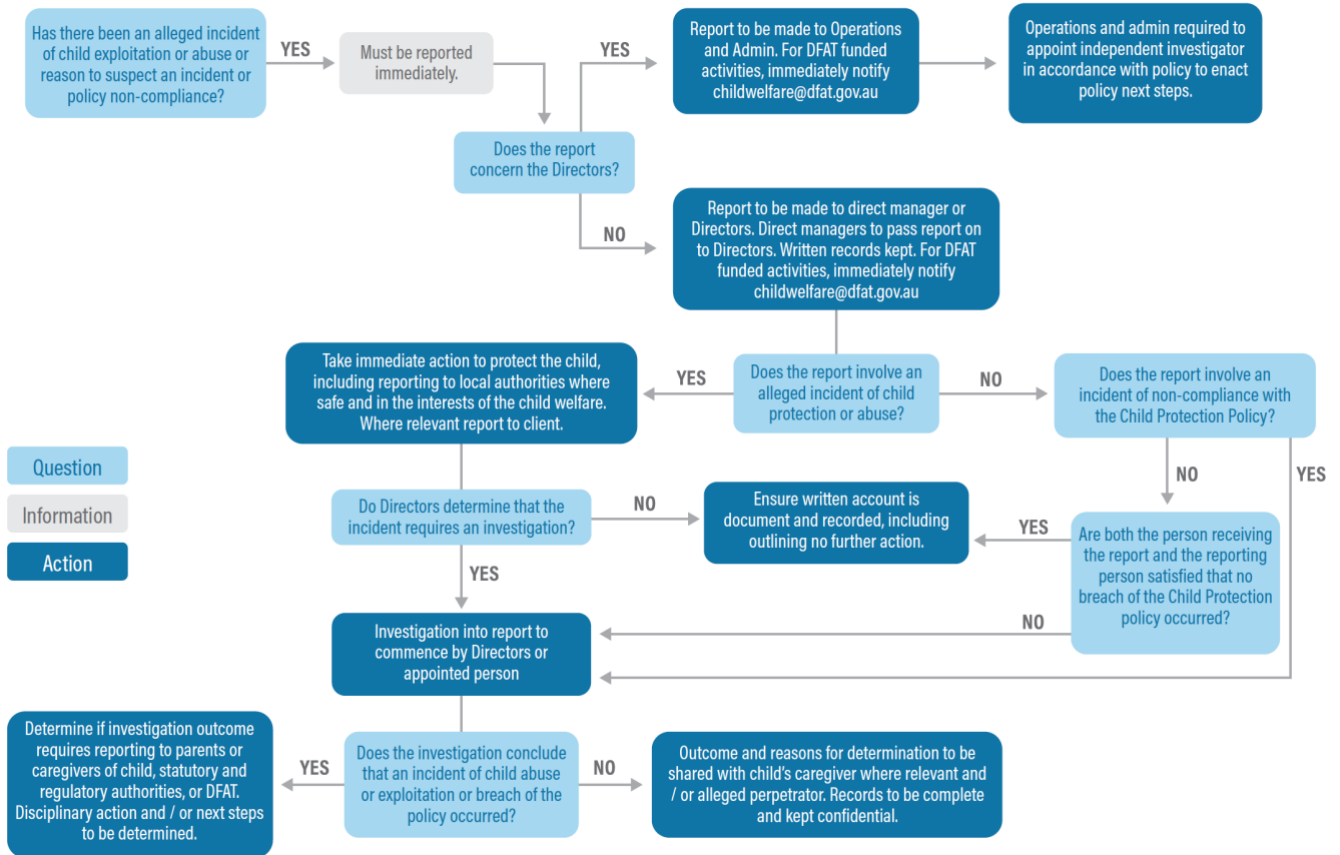
Where a Humanitarian Advisory Group representative and partner develops concerns or suspicions regarding child protection or policy non compliance as a result of behaviour by a fellow worker, whether in the same agency or not, they must report such concerns. All staff and partners are expected to report any incident or suspected child protection incident, including policy non-compliance within the time frames outline above. Suspicions are adequate to require mandatory reporting.

### **Managing and investigating reports**

Following submission of a report, the flowchart below outlines the steps that will be taken. If an investigation is required it will be led either by one or both Directors, the compliance focal point, or if needed appointed external investigator. The decision to appoint an external investigator rests with the Directors, except in the event that the either Director is the alleged perpetrator (in which case it would sit with the Operations and Admin role).

Accurate records must be kept on the investigation process and outcomes. All records and documentation of reports and investigations (both process and outcomes) will be kept confidential and in a secure place.

Any Director or staff member who may manage and investigate reports are required to receive training to ensure investigators are trained on sensitive investigations and on a victim/survivor centred approach.



## RECEIVING REPORTS

When a Director or Compliance Focal point receives a report they should follow this procedure:

1. For a DFAT-funded project, report to DFAT.
2. Listen to the report seriously and treat the report confidentially. Invite the whistle-blower to bring another person to the interview if they choose to.
3. Ask for an account of what happened and take written notes – either in addition to the completed Incident Report form (if already completed by Whistle blower) or directly into the Incident Report form (if it hasn't already been completed). Use the form as a guide for the information you need to ask for.
4. Check if the survivor or whistle-blower of the alleged child protection incident need any specific support, for example medical or psychological, and refer them to a suitable service as applicable.
5. Once the whistle blower has read the notes and agrees with their accuracy, discuss and agree on the next steps. Next steps may include:
  - Providing support to the survivor(s) and/or the person making the report;
  - Passing on the report to another person, either within HAG or externally;
  - An internal investigation being undertaken;
  - Referral to relevant law enforcement channels, where applicable;



- Forwarding the report to a Client, where relevant.

**If the report concerns policy non-compliance**, take necessary steps to correct this and a written record of steps taken.

**If investigation is not requested or consented to**, or if the Director/Focal Point is satisfied that the conduct reported is not in breach of HAG's Child Protection policy, then the Director/Focal Point should keep a full written record of the process and outcome.

**If an investigation is requested or required** because the Director/Focal Point believes a breach of the Child Protection policy has occurred, then the incident must be reported to the Directors for investigation or referred for external investigation.

## INVESTIGATING REPORTS

As a first step HAG Directors will assess whether the investigation can be managed internally or if external independent assistance is required. In most cases of serious allegations that concern SEAH, HAG will work with qualified professionals trained on sensitive investigations and on survivor-centred investigation approaches. Our independent partner is <https://www.worklogic.com.au>.

If the investigation is managed internally then the following steps will be taken:

1. Identify all people directly concerned with the incident and interview them separately and confidentially.
2. Interview the alleged perpetrator, separately and confidentially, and let the alleged perpetrator know what has been alleged. Give them a chance to respond to the accusation.
3. Listen carefully and keep detailed, written records of interviews and the investigation.
4. Keep records in a secure location, and separate from records of other reports, with access to these records limited to those for whom it is necessary.
5. Ensure confidentiality and minimise disclosure.
6. Decide on appropriate action based on investigation and evidence collected.
7. If the alleged behaviour would breach local laws, consult with the survivor and determine if it is safe to report to local authorities. Make such reports where applicable.
8. Discuss any outcomes affecting the survivor with them to make sure you meet their needs, where appropriate.
9. Enact any disciplinary action decided on in line with the outcome of the investigation.
10. Update record of incident in the Safeguarding Incident Reports Log with the outcome of the report.

## COMPLIANCE FOCAL POINT

### Appointment of a focal point

Humanitarian Advisory Group will appoint a compliance focal point for PSEA and child protection compliance. This position is currently held by Kelly Nichols, Operations and Admin.

### Focal point Responsibilities

The compliance focal point is responsible for:

- Leading review of this policy
- Providing training or guidance as required and requested
- If appropriate, working with HAG's Directors, to conduct or arrange an internal investigation of any reported child protection concerns or allegations and, depending on the findings of the internal investigation, referring the matter to Police
- Referring the matter to relevant State child protection authorities where there are reasonable grounds to believe a child in Australia is at risk.

## WORKING WITH PARTNERS

As part of HAG's broader partnership approach, and responsibility outlined in this, and other safeguarding policies, HAG is committed to working with partners to implement this policy, in addition to strengthening policies and procedures related to child protection. This includes strengthening our own policies and procedures by better understanding the cultural and contextual factors that may support or hinder implementation.

HAG will have a kickoff conversation with all partners at the signing of MoUs or project specific contracts to discuss how we can collectively meet compliance requirements. This discussion is approached as shared learning of what will work and not work in different contexts and in different projects to minimise and manage risks.

### Risk management:

At the beginning of each project, HAG will work with partners as appropriate to identify and evaluate any existing or potential child protection risks. Together HAG and partners will identify and document mitigating actions.

### Reporting and investigating:

In addition to receiving and signing this policy, all partners receive training on HAG's Child Protection policy and associated procedures, including reporting. Additional support includes mapping out partners own internal reporting and investigation processes and providing support to strengthen these processes if

required and requested by partners. HAG will also discuss with partners what support and referral services exist in country context that can be used to access survivor appropriate support as appropriate.

### **Training:**

HAG will discuss the Child Protection policy and any questions in the kick off call. HAG offer Child Protection training to all partners and will cover associated costs. If requested, HAG will work with partners to develop and strengthen their own internal Child Protection training. HAG will also request feedback from partners on ways to strengthen HAG's policies and procedures to ensure they are user friendly and impactful for partners.

### **Safe recruitment:**

Partners are required to submit a current police check. If the country context doesn't allow to submit a police check/report, partners are required to submit a statutory declaration. All persons employed, sub-contracted, or otherwise associated with HAG and are requested to disclose, as per the terms of the Purchase Order, whether they have been charged with child exploitation or abuse offences. Any persons sub-contracted or otherwise associated with HAG, who intend to work with children in Australia or overseas, may require a Working With Children check. HAG will also conduct reference checks as part of the process of identifying and contracting partners.

As part of HAG's processes to support partner organisations to strengthen their internal child protection processes and procedures, HAG is working with partners to develop and strengthen their own internal screening and recruitment process to align with this Policy. HAG will also discuss what approaches partners are using and work most effectively in their contexts in order to learn and adapt our own policies.

## **ACCESSIBILITY**

This Policy will be communicated via the following channels:

- Humanitarian Advisory Group internal communication channels;
- Contracts with staff and sub-contractors;
- The HAG Code of Conduct;
- Reporting and Investigation Procedure, Whistleblowing Policy and Code of Conduct will be available on HAG's website;
- During staff and partner recruitment, inductions and kick-off processes
- Through training.

Where relevant, and important for working with partners, this policy will be translated into other languages.

In signing this document, I understand and agree to abide by HAG's Child Protection policy.

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

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