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Introduction

Kyeema Foundation (Kyeema) is a non-governmental organisation that works predominantly to reach poorer members of communities in developing countries. Kyeema is committed to the protection of children and this Child Protection Policy builds upon the core values of Kyeema as described in the Constitution and Code of Conduct. Both documents show our respect for the child in all aspects of our work.

Purpose

This policy provides the framework for minimising and managing the risk of abuse to children in the delivery of Kyeema's activities. This Policy, the Procedures (Attachment 1) and the Guidelines in Attachments 2 to 5 are used to develop operational procedures and monitoring systems specific to each project to assess, evaluate and manage high risk activities for Child Protection.

Guiding Principles

This policy is based on the following ethical principles for child protection.

- Kyeema believes all children have a right to be safe and therefore Kyeema has an obligation to try to ensure the safety of children associated with its projects.
- Kyeema believes any form of child abuse (including accessing or possessing child pornography) is unacceptable and maintains a zero tolerance approach towards it.
- Kyeema takes proactive steps to minimise the risks of harm toward children.
- Child labour or trafficking are criminal offences; Kyeema will not work with any partner or individual that is involved with these; Kyeema will take active steps to notify authorities if we become aware of child labour or trafficking when in implementing projects or activities.

Scope

This policy, the attached procedure and guidelines apply to all Kyeema Board Directors, Board Members, staff, consultants and sub-contractors, volunteers, partners and observers/visitors accompanying a Kyeema activity. They do not replace any laws relating to child protection activities.

Definitions

For the purposes of this policy

Child: Kyeema adopts DFAT's definition of a child as any person under the age of 18 years.

Child Abuse: includes physical, sexual, emotional, neglect, bullying, child labour, and exposure to domestic violence.

Child exploitation: One or more of the following:

- committing or coercing another person to commit an act or acts of abuse against a child
- possessing, controlling, producing, distributing, obtaining or transmitting child exploitation material

- committing or coercing another person to commit an act or acts of grooming or online grooming
- using a minor for profit, labour, sexual gratification, or some other personal or financial advantage.

Child exploitation material: Material, irrespective of its form, which is classified as child abuse material or child pornography material

Child Protection: An activity or initiative designed to protect children from any form of harm, particularly that arising from child exploitation and abuse

Contact with children: 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 (also see Working with children definition).

Grooming: Behaviour that makes it easier for an offender to procure a child for sexual, criminal, or abusive activity.

Harm: Any detrimental effect on a child's physical, psychological or emotional wellbeing. Harm may be caused by financial, physical or emotional abuse, neglect, and/or sexual abuse or exploitation whether intended or unintended

Informed consent: Ensures the child and the parent or guardian understand the implications, purpose and potential uses of photographs or videos

Neglect: the persistent failure or deliberate denial to provide a child with the necessities of life where the caregiver is in a position to be able to provide such.

Staff: all Kyeema fulltime employees, fixed term employees, consultants, and sub- contracted individuals.

Working with children: 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.

Child Labour: the employment of children in an industry or business, especially when illegal or considered exploitative – note reference to Modern Slavery Statement

Child trafficking: the action or practice of illegally procuring and relocating children, typically for the purposes of forced labour or sexual exploitation.

Policy statement

- Kyeema considers the integrity and value of the individual to be paramount and as such is committed to the safety and protection of all children we encounter in our work.
- Kyeema believes that all children have the right to be free from violence, abuse and exploitation of any kind.
- Because they are among the most vulnerable members of the communities in which we work, children deserve the protection of organisations which have the ability to impact upon their welfare.

The procedure and guidelines for implementation of this policy are detailed in Attachment 1 – 5.

Responsibilities

Adherence to this policy, the procedure and operational guidelines is mandatory for all Kyeema personnel, and partner personnel engaged by Kyeema. Opportunities will be provided for personnel to participate in Child Protection training. Breaching this policy, the procedures or Code of Conduct is considered a serious offence and carries with it disciplinary action, including possible termination, and if criminal activity is suspected, reporting to the relevant authorities.

The Child Protection Focal Person in consultation with the Chief Executive Officer and the Kyeema Board, is responsible for the implementation of this policy and for advising on the need to review or revise this policy as and when the need arises.

Kyeema and its partners must immediately (within 24 hours) report any suspected or alleged instances of child abuse, exploitation, harm or child protection policy non-compliance to the Conduct and Ethics Unit via childwelfare@dfat.gov.au. All information provided will be treated confidentially in accordance with relevant Commonwealth legislation, including the Privacy Act 1988.

Where issues related to compliance to this policy are identified, the Child Protection Focal Person will work with staff and other relevant stakeholders to address these issues promptly. The policy will be reviewed every three years and revised as needed in between, with the approval of the Board. See attachment 7 for full terms of reference for the Child Protection Focal Person.

Information Resources

ACFID Code of Conduct Commitment 1.4 We advance the safeguarding of children <https://acfid.asn.au/use-the-code/quality-principle-1-rights-protection-inclusion>

DFAT Child Protection Policy (2017)

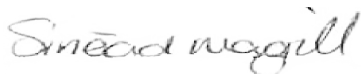
<http://dfat.gov.au/about-us/publications/Pages/child-protection-policy.aspx>

Related Documents

This policy is to be read in conjunction with:

- *Kyeema Foundation Code of Conduct*
- *Kyeema Foundation Child Protection Code of Conduct (Attachment 6)*
- *Kyeema Foundation Risk Management Matrix*
- *Kyeema Foundation Ethical Decision-Making Framework*
- *Kyeema Foundation Image and Message Guidelines*
- *Kyeema Foundation Guidelines on Child Safe Recruitment*

Authorisation



SINEAD MAGILL

Signature of Policy Officer

Name of Policy Officer

21/03/2023

Date

Attachment 1: Procedures

Child Protection Risk Management

Kyeema recognises that there are potential risks to children arising from the management of our projects. Kyeema will assess whether there are any risks to children prior to implementing a new project and where such risks are identified, will proactively manage those risks (Attachment 2).

Code of Conduct

Kyeema's Code of Conduct outlines ethical standards and acceptable behaviour that must be adhered to by all Kyeema Directors, Board Members, staff, consultants, volunteers and partners. Breaching the Code of Conduct is considered a serious offence and carries with it disciplinary action, including possible termination, and if criminal activity is suspected, reporting to the relevant authorities.

Kyeema also has a separate Child Protection Code of Conduct. All Kyeema Directors, Board Members, staff, consultants and sub-contractors, volunteers and partners are required to sign the specific Child Protection Code of Conduct at Attachment 6.

Training

All new and current Kyeema staff will receive training on child protection issues, policy enforcement, and project child protection operational procedures. Training for all new Kyeema staff will be included in pre-mobilisation briefings. Kyeema staff will be expected to brief sub-contractors and grantees when negotiating sub-agreements.

Use of Children's Images

When photographing or filming children for work related purposes Kyeema will always protect the privacy of the child and will always be aware of how images of children might be adapted or viewed. Guidelines on the taking and Use of Children's Images are given in Attachment 5.

Recruitment and Selection Process of Staff Working with Children

Kyeema will implement recruitment practices (Attachment 3) that minimise the risk of engaging staff who may pose a risk to children. These procedures will be designed to deter potential abusers and to recruit the most suitable people to work with children.

Reporting and Grievance Redress Process

It is mandatory for all Kyeema staff, consultants and partners to immediately report any concerns or allegations of child abuse they become aware of. Kyeema will take all such reports seriously and will follow the project-specific operational procedures accordingly to manage reports and redress grievances (Attachment 4). All parties will be treated fairly and the principles of natural justice will be adhered to.

Malicious or deliberately false allegations will be taken very seriously, and the person may face disciplinary action.

Attachment 2: Child Protection Risk Evaluation Guidelines

Factors which present a high risk to child safety and protection include:

- **Children who:**
 - o Are very young
 - o Have been abandoned, orphaned or otherwise without a carer
 - o Have a disability
 - o Have been displaced
 - o Have experienced conflict or have been abused
- **Staff who:**
 - o Have not been screened carefully, including police checks
 - o Are not supervised adequately
- **Locations which are:**
 - o Isolated, secluded or otherwise difficult to access
 - o Experiencing political unrest or threats to security
 - o Overcrowded
 - o Home based
- **One to one interaction:**
 - o Physical contact
 - o Unsupervised visitors
 - o Staff working alone

Attachment 3: Recruitment and Selection Guidelines for personnel in contact with or working with children

- Interviews will be conducted for all positions, preferably face to face.
- All interviewees will be required to provide proof of identity – photo ID is required such as passport or current driver’s license.
- Applicants will be asked to disclose whether they have ever been charged with child exploitation offences.
- Criminal record checks and verbal referee checks will be conducted on selected personnel before engagement.
- All interviewees will be provided a copy of Kyeema’s Code of Conduct, and its contents and principles are explained, including the section on child protection.
- All successful candidates are required to read and sign a copy of this Child Protection Policy and Child Protection Code of Conduct (Attachment 6).
- For any position that is **working directly with children** the following applies to all interviewees/preferred candidates:
 - A thorough background check will be conducted including a detailed history of employment and education, including durations and locations, to determine that they possess relevant qualifications and experience working with children and to identify and query any unexplained patterns or gaps.
 - Police checks will be carried out (where available), covering a five-year history, and obtained from any country in which the interviewee resided for more than 12 months over that period, plus their place of citizenship.
 - At least two reference checks will be obtained, including one from the interviewee’s most recent employer. All references must be obtained by speaking directly with the referee; written references will be considered inadequate.
 - The interviewee will be asked behavioural questions to determine their motivation for working with children, their attitudes towards children and their understanding of the professional boundaries.
 - Assessment with respect to child protection will continue to take place throughout the course of a successful applicant’s employment at the time of performance assessment.

Kyeema has developed comprehensive guidelines for child safe recruitment that is available to personnel or partners recruiting for people working with children.

Attachment 4: Reporting and Grievance Redress Guidelines

These guidelines have been developed to inform all staff of their legal and moral responsibilities with regard to suspected child abuse that is in any way connected with one of Kyeema's projects.

Any disclosure or allegation made by a child or staff member/consultant regarding the safety or possible abuse of a child must be reported immediately. A staff member/consultant is also obliged to report any incidents or behaviour they may witness that could be interpreted as child abuse or give rise to concerns over the welfare or safety of the child(ren) involved, including observing another staff member accessing child pornography. The report should be made immediately, and where this is not possible, it should be made as soon as reasonably practicable.

Each project must have its own reporting and grievance redress procedure that abide by the laws of the country in which the project is operating. For example, if there is a local child protection authority any allegations should be reported to that body. If the matter is able to be dealt with as a criminal offence it should be reported to local police. The matter must be dealt with under the Kyeema Code of Conduct and the Kyeema Complaints Policy.

All child safety complaints are considered serious and should be reported to the Kyeema Complaints Officer and/or the Kyeema Safeguarding Focal Person immediately.

Kyeema Africa Complaints Officer:

Dra. Rosa Costa
rosac@kyeemafoundation.org
+258 21475005

Kyeema HQ Complaints Officer:

Anthony Carrigan
anthonyjc@kyeemafoundation.org
+61730258566

Kyeema Safeguarding Focal Person:

Eliza Smith
elizas@kyeemafoundation.org
+61730258566

When making a complaint, please make sure to note the following: *These details will be recorded by the complaints officer or safeguarding focal person.*

- Name of complainant
- Date of complaint
- Method of complaint
- Type of complaint (complaints can be made verbally or through email, telephone)
- Contact details of Complainant
- Kyeema Activity/reference
- Brief description of complaint
- Who received the complaint.

Kyeema and its partners must immediately (within 24 hours) report any suspected or alleged instances of child abuse, exploitation, harm or child protection policy non-compliance to the Conduct and Ethics Unit via childwelfare@dfat.gov.au. All information provided will be treated confidentially in accordance with relevant Commonwealth legislation, including the Privacy Act 1988.

Each project's reporting and grievance redress procedure will take into account the following issues:

- First and foremost, the immediate safety of the child.
- The treatment the child may receive from local authorities e.g. will the child be victimised?
- Who and how will long term support be provided to the child?
- Will the child be ostracised by their community or family?
- How will the local authorities deal with the alleged perpetrator e.g. death penalty, corrupt justice systems?
- Impact on Kyeema and the project's reputation.
- Managing the media.

None of the above are reasons to avoid reporting child abuse, but they must be managed appropriately.

Actions that must always be taken include:

- Protecting the child from further abuse e.g. relocating them to a safe place where they are away from the immediate danger.
- Distancing the alleged perpetrator e.g. where the alleged perpetrator is a member of staff, have the individual placed on leave with full pay until resolution of the matter.
- Keeping the matter as confidential as possible where the relevant people are informed on a need- to-know basis only.

Attachment 5: Guidelines on Use of Children's Images

All Images of children used by Kyeema on its website, in its brochures and other marketing material must be respectful, appropriate and display children in a positive way.

The consent of the parent/guardian of the child (or of the child if no parent or guardian exists) must be sought at the time of recording an image of a child. The consent obtained must be informed consent; therefore, how and where the image will be used must be explained.

The identity of the children captured in images must be protected at all times. Kyeema will not publish any identifying information or the location of the child when it publishes these images; nor will file labels of any photos reveal any identifying information if they are being sent electronically.

Kyeema will always endeavour to comply with the local traditions or restrictions of reproducing personal images.

All images must be honest representations of the context and the facts.

Attachment 6: Child Protection Code of Conduct

To be signed by all Directors, Board members, staff, subcontractors, volunteers and partners of Kyeema Foundation

I, SINEAD MAGILL [insert name], acknowledge that I have read and understand Kyeema Foundation's Child Protection Policy, and agree that during my association with Kyeema Foundation, I must:

- 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 under the age of 18 in any form of sexual intercourse or sexual activity, including paying for sexual services or acts;
- 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 or have been granted permission from a guardian/parent;
- 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;
- use any computers, mobile phones, video cameras, cameras or social media appropriately, and never to exploit or harass children or access child exploitation material through any medium;
- not use physical punishment on children;
- not give or provide children with alcohol or illegal drugs;
- not show favouritism through the provision of gifts or inappropriate attention;
- not hire children for domestic or other labour which is inappropriate given their age, 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;
- immediately disclose all charges, convictions and other outcomes of an offence, which occurred before or occurs during my association with Kyeema Foundation that relate to child exploitation and abuse;
- be aware of behaviour and avoid actions or behaviours that could be perceived by others as child exploitation and abuse.

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

- assess and endeavour to comply with local traditions or restrictions for reproducing personal images before photographing or filming a child;
- obtain informed consent from the child and parent or guardian of the child before photographing or filming a child. As part of this I must explain how the photograph or film will be used. In group photos, consent must be confirmed from each parent or guardian of each child depicted;

- ensure photographs, films, videos and DVDs present children in a dignified and respectful manner and not in a vulnerable or submissive manner. Children should be adequately clothed and not in poses that could be seen as sexually suggestive;
- ensure images are honest representations of the context and the facts; and
- ensure file labels, meta data or text descriptions do not reveal identifying information about a child when sending images electronically or publishing images in any form.

I understand that the onus is on me, as a person associated with or engaged by Kyeema Foundation to use common sense, avoid actions or behaviours that could be construed as child exploitation and abuse. I understand that breaching this Code of Conduct is considered a serious offence and carries with it disciplinary action, including possible termination, and if criminal activity is suspected, reporting to the relevant authorities. Also, I must immediately report any suspected cases of child abuse immediately to Kyeema Foundation.

Sinead McGill

21/03/2023

Signed:

Date:

Attachment 7: Terms of Reference for Child Protection Focal Person

Overview

The Child Protection (CP) Focal Person will serve a dual role to ensure project operations are in line with Kyeema's Child Protection policy and procedures and to act as a resource person (focal point) for any issues related to child protection. The CP Focal Person will ensure the prevention of, and appropriate responses to any activity raising concerns in relation to child protection and wellbeing. The CP Focal Person will report to senior management, keeping them informed through both written/verbal communication. The CP Focal Person is responsible for ensuring all new and current staff receive up to date training on Kyeema's Child Protection Policy and Procedures. In addition, they will be responsible for ensuring Kyeema's policies and procedures remain compliant under ACFID guidelines whilst also ensuring CP policies and codes of conduct are agreed to and followed by Kyeema personnel and its partner organisations.

Activities

- Ensuring the effective communication and training of child protection policy and practices to all staff, volunteers and partner organisations and ensure they abide by Kyeema's child protection policies and procedures and that these codes of conduct are signed by the appropriate personnel. The CP Focal Person will maintain a training agenda and record register to achieve this.
- Ensuring that Kyeema's codes of conduct relating to child protection are echoed in all Partnership Agreements and Memorandum of Understanding documents (or similar) Ensuring that child protection policies and procedures remain compliant with DFAT and ACFID standards and guidelines.
- Ensuring program design, planning and practice reflects these codes of conduct, assessing any risks to children prior to implementing new projects and where such risks are identified, proactively managing and mitigating such risks
- Ensure the effective handling of incident complaint reports that involve children, ensuring that responses are handled in an urgent and sensitive manner and strictly follow Kyeema's Child Protection procedure
- Ensure reporting to senior management of any incident reports involving children
- Conduct reviews of the CP policy and practices every three years, or more regularly as required.

Relationships

The Child Protection Focal Person will work with program managers, volunteers and partner organisations to ensure personnel have sufficient understanding of Kyeema's child protection policies and are taking proactive steps to minimise the risks of harm towards children. The Child Protection Focal Person will consult with staff striving for constant improvement of child protection strategies where Kyeema projects are active. When incident reports involving children arise, the Child Protection Focal Person will report in detail to senior managers in written form to ensure that these matters have been handled effectively.

Reporting

All staff, volunteers and partners involved with Kyeema will report to the Child Protection Focal Person for any issue or complaint regarding children. The CP Focal Person is responsible for handling instances however will report to senior management and the Chief Executive Officer in the Brisbane office to ensure that effective action/resolutions have been made.

Competency

The Child Protection Focal Person must have sufficient training and support to carry out the role. The CP Focal Person must have a thorough understanding of Kyeema's relevant policies and procedures in addition to familiarity with DFAT and ACFID guidelines and codes of conduct. Eligibility for the role will involve criminal history checks, verbal referee checks and behavioural-based interview questions to ensure that an individual is fit for this role.