



Policy 201910110 child protection/policy/procedures

CHILD PROTECTION POLICY

INTRODUCTION

Bali Children Foundation (BCF) is committed to promoting and protecting the interests and safety of children. We have zero tolerance for child abuse.

Everyone working at or for BCF is responsible for the care and protection of children and reporting information about child abuse.

SCOPE

Safeguarding children is the responsibility of all those who participate in BCF's work.

This includes:

- Board members,
- Staff (including volunteers and interns),
- Supporters,
- Consultants, suppliers and contractors, and
- Any person representing BCF at the organisation's request.

PURPOSE

The purpose of this policy is

1. To facilitate the prevention of child abuse occurring within BCF.
2. To work towards an organisational culture of child safety.
3. To prevent child abuse within BCF.
4. To ensure that all parties are aware of their responsibilities for identifying possible occasions for child abuse and for establishing controls and procedures for preventing such abuse and/or detecting such abuse when it occurs.
5. To provide guidance to staff/volunteers/contractors as to action that should be taken where they suspect any abuse within or outside of the organisation.
6. To provide a clear statement to staff/volunteers/contractors forbidding any such abuse.
7. To provide assurance that any and all suspected abuse will be reported and fully investigated.

POLICY

- BCF is committed to promoting and protecting the best interests and safety of children involved in its programs. All children, regardless of their gender, race, religious beliefs, age, disability, sexual orientation, or family or social background, have equal rights to protection from abuse.
- BCF is committed to the cultural safety of Balinese children, and to providing a safe environment for children living with a disability. In instances where cultural practices are harmful to children's rights, we advocate for their elimination. The

best interests of the child are always central to our decisions.

- BCF has zero tolerance for child abuse. Everyone working at BCF is responsible for the care and protection of the children within our care and reporting information about suspected child abuse.
- Child protection is a shared responsibility between the BCF, all employees, workers, contractors, associates, volunteers and members of the BCF community.
- BCF's risk management program includes the identification and management of potential risks to children's safety.
- BCF employment and training procedures are undertaken to ensure the safety, wellbeing and protection of children.
- BCF will consider the opinions of children and use their opinions to develop child protection policies.
- BCF is committed to appropriate record keeping of child safety breaches or incidents and will ensure record management is aligned with local regulatory requirements.

CHILD PROTECTION PROCEDURES

RESPONSIBILITIES

The BCF Board has ultimate responsibility for the detection and prevention of child abuse and is responsible for ensuring that appropriate and effective internal control systems are in place.

The Board is also responsible for ensuring that appropriate policies and procedures guidelines for working with children are in place.

The BCF CEO is responsible for:

- Dealing with and investigating reports of child abuse;
- Ensuring that all staff, contractors, and volunteers are aware of relevant laws, organisational policies and procedures, and the organisation's Code of Conduct and Child Safety Guidelines;
- Ensuring that all adults within the BCF community are aware of their obligation to report suspected sexual abuse of a child in accordance with these policies and procedures;
- Ensuring that all staff, contractors and volunteers are aware of their obligation to observe the Code of Conduct and Child Protection Code of Conduct;
- Providing support for staff, contractors and volunteers in undertaking their child protection responsibilities.

All managers and trainers must ensure that they:

- Promote child safety at all times;
- Assess the risk of child abuse within their area of control and eradicate or minimise any risk to the extent possible;
- Educate employees and teaching staff about the prevention and detection of child abuse; and
- Facilitate the reporting of any inappropriate behaviour or suspected abusive activities.

Management and trainers should be familiar with the types of abuse that might occur within their area of responsibility and be alert for any indications of such conduct.

All staff/volunteers/contractors share the responsibility for the prevention and detection of child abuse, and must:

- Familiarise themselves with the relevant laws, the Code of Conduct, and BCF's policy, procedures and Child Protection Code of Conduct in relation to child protection, comply with all requirements;
- Participate in periodic child protection policy refresher training program;
- Report any reasonable belief that a child's safety is at risk to the relevant authorities;
- Report any suspicion that a child's safety may be at risk to their supervisor (or, if their supervisor is involved in the suspicion, to a responsible person in the organisation); and
- Provide an environment that is supportive of all children's emotional and physical Safety;

EMPLOYMENT OF NEW PERSONNEL

BCF undertakes a comprehensive recruitment and screening process for all workers and volunteers that aims to:

- Promote and protect the safety of all children under the care of the organisation;
- Identify the safest and most suitable people who share BCF's values and commitment to protect children; and
- Prevent a person from working at BCF if they pose a risk to children.

BCF requires all workers/volunteers to pass through the organisation's recruitment and screening processes prior to commencing their engagement with BCF.

Safeguarding includes:

- Behavioural based interview questions to determine attitudes, motivations and values relating to children,
- A criminal record check,
- A working with children check,
- Vetting the candidate for any sexual abuse, exploitation, and harassment or other serious misconduct in their previous role through their verbal referee checks. Questions to the referees will include whether they have observed the candidate working with children, and whether they have any concerns regarding the candidate working with children.

BCF will not employ a person or allow a person to work directly with children if any risks to children's safety have been identified during the recruitment and screening process.

Employment contracts include a statement regarding the penalties for staff members who breach the Child Protection Policy and Code of Conduct.

The Child Protection Policy and related procedures are communicated to and signed by all workers as part of their induction.

EDUCATION AND TRAINING

BCF will provide all new staff, volunteers and interns with copies of the Child Protection Policy and Child Protection Code of prior to commencing work with the organisation. All workers must sign the Child Protection Code of Conduct prior to commencement.

Refresher training on the Policy, Procedures and Code of Conduct will be provided every two years.

Additionally, BCF will arrange focused job-specific training for workers. Those workers who have regular contact with children will be trained in identifying potential signs of harm and actively supporting children to raise concerns, as well as recognising the nature and indicators of child abuse.

REPORTING

Any worker who has concerns, suspicions, or grounds to suspect abuse towards a child, or if there are any alleged breaches of BCF's Child Protection Policy, they must immediately notify the appropriate authorities.

A report must be made to the worker's immediate supervisor either verbally or email in the first instance, and then the worker must also complete a Child Protection Incident Report Form within two days of suspecting the abuse.

In situations where the supervisor is suspected of involvement in the activity, or if the person having the suspicion does not believe that the matter is being appropriately addressed or dealt with, the matter should be reported to the next highest level of supervision.

Supervisors must report complaints of suspected abusive behaviour or misconduct to the CEO and also to any external regulatory body such as the police.

RESPONDING TO A DISCLOSURE

If any person discloses that a child has experienced sexual exploitation, abuse and harassment, or if a child reports any form of child abuse, exploitation or neglect you should:

- Listen carefully and respectfully, reassure the person that they are right to share this with you;
- Explain that you would like to take notes because it is important for you record as many details as possible;
- Maintain a calm appearance, do not make comments that pass judgement on the victim/survivor, the incident or the alleged perpetrator;
- Accept that the person will only disclose as much as they are comfortable with, recognise their strength for sharing something that is difficult to talk about, do not push for additional details. Allow them to share in their own words;
- Do not make promises that you cannot keep. Explain that you have the responsibility to escalate the report to the appropriate regulatory body, and internally;
- Inform the person reporting of how their report will be managed, how their information will be shared and with whom, and how they will be kept informed of the outcome of any subsequent response;
- Explain that you will work with the individual to help meet any protection and health needs including referring the victim/survivor to appropriate support services where available; and
- Do not confront the alleged perpetrator.

If the person making the complaint is a child, special procedures should be followed. These should include:

- A parent or caregiver should also be present;
- The child should be supported and reassured that they are safe, and their complaint is confidential (noting that confidentiality is distinct from secrecy);
- The complaint can be in any form including (but not limited to) written, verbal, and drawn complaints; and
- Support and care should be provided to the child and other affected parties.

REFERRAL TO APPROPRIATE SUPPORT SERVICES

At all times, the health, protection and well-being of the victim/survivor should be central to our response. Regardless of whether the incident is escalated externally or managed internally, the survivor should have access to appropriate services to meet their needs through appropriate referrals.

INVESTIGATING

If the appropriate child protection service or the police decide to investigate a report, all employees, contractors or volunteers must co-operate fully with the investigation.

Whether or not the authorities decide to conduct an investigation, the CEO will consult with the authorities to determine whether an internal investigation is appropriate. If it is decided that such an investigation will not conflict with any proceeding of the authorities, the CEO

may decide to conduct such an investigation. All employees, contractors and volunteers must co-operate fully with the investigation.

Any such investigation will be conducted according to the rules of natural justice.

The CEO will make every effort to keep any such investigation confidential; however, from time to time other workers may need to be consulted in conjunction with the investigation.

After an initial review and a determination that the suspected abuse warrants additional investigation, the CEO shall coordinate the investigation with the appropriate investigators and/or law enforcement officials. Internal or external legal representatives will be involved in the process, as deemed appropriate.

ACTIONS THAT MAY BE TAKEN

If it is alleged that a worker may have committed an offence or have breached the organisation's policies or Child Protection Code of Conduct, the person concerned may be stood down (with pay, where applicable) while an investigation is conducted.

If the investigation concludes that on the balance of probabilities an offence (or a breach of the organisation's policies or Child Protection Code of Conduct) has occurred then disciplinary action may follow, up to and including dismissal, termination or cessation of involvement with the organisation. The findings of the investigation will also be reported to any external body as required.

FULFILLING CONTRACTUAL REPORTING REQUIREMENTS

If the alleged incident or breach occurred within the delivery of a Grant Funded program, or any other activity with contractual reporting requirements, the incident must be immediately reported to the Funding Partner in line with the contract. For DFAT-funded activities alleged incidents must be reported within 2 working days of BCF becoming aware of the incident. Breaches of the DFAT policy and Minimum Standards must be reported within 5 working days of becoming aware of the breach.

RECORD KEEPING

BCF is committed to ensuring the incident report and all related communication and documentation is filed in a secure folder accessible only to CEO and the supervisor managing the incident.

BCF adheres to the following in its record keeping:

- complete and accurate records are created and maintained for all incidents, complaints, responses and decisions;
- records are created at the time of, or as soon as practicable following, an incident, complaint, response or decision;
- records are titled, organised and filed logically;
- a master copy of each record is formally maintained to ensure duplicate records or multiple copies of the same record are kept to a minimum;
- records are maintained and disposed of in accordance with legislative and statutory requirements;
- information and/or records are treated as confidential and records are appropriately secured;

- sharing or distribution of information and/or records is restricted to nominated personnel and is conducted in accordance with relevant legislative and statutory requirements; and
- individuals' rights to access, amend or annotate records about themselves are recognised to the fullest extent.

PRIVACY

All personal information considered or recorded will respect the privacy of the individuals involved unless there is a risk to someone's safety. BCF will have safeguards and practices in place to ensure any personal information is protected.

Everyone is entitled to know how the personal information is recorded, what will be done with it, and who will be able to access it.

RISK MANAGEMENT

BCF is committed to learning from any incidents or breaches of the Child Protection Policy and/or Child Protection Code of Conduct. Following all reports, BCF will work to ensure appropriate safeguards and risk mitigation strategies are in place to reduce the risk of such incidents in the future.

DEFINITIONS

Child means a person below the age of 18 years.

Child abuse means

- **Physical abuse** — the use of physical force against a child that results in harm to the child. Physically abusive behaviour includes shoving, hitting, slapping, shaking, throwing, punching, kicking, biting, burning, strangling and poisoning.
- **Neglect** — the failure by a parent or caregiver to provide a child (where they are in a position to do so) with the conditions that are culturally accepted as being essential for their physical and emotional development and wellbeing.
- **Emotional Abuse** — refers to a parent or caregiver's inappropriate verbal or symbolic acts toward a child, or a pattern of failure over time to provide a child with adequate non-physical nurture and emotional availability. Such acts have a high probability of damaging a child's self-esteem or social competence.
- **Sexual abuse** — the use of a child for sexual gratification by an adult or significantly older child or adolescent. Sexually abusive behaviours can include fondling genitals; masturbation; oral sex; vaginal or anal penetration by a penis, finger or any other object; fondling breasts; voyeurism; exhibitionism; and exposing the child to, or involving the child in, pornography
- **ill-treatment** — disciplining or correcting a child in an unreasonable and seriously inappropriate or improper manner; making excessive and/or degrading demands of a child; hostile use of force towards a child; and / or a pattern of hostile or unreasonable and seriously inappropriate degrading comments or behaviour towards a child.
- **Grooming** – grooming concerns predatory conduct undertaken to prepare a child for sexual activity at a later time. Grooming behaviour is where an adult communicates, by words or conduct, with a child or with a person who has care, supervision or authority for the child with the intention of facilitating the child's involvement in sexual conduct, either with the groomer or another adult.

Child protection means any responsibility, measure or activity undertaken to safeguard children from harm.

Reasonable grounds for belief is a belief based on reasonable grounds (see below) that child abuse has occurred when all known considerations or facts relevant to the formation of a belief are taken into account and these are objectively assessed. Circumstances or considerations may include the source of the allegation and how it was communicated, the nature of and details of the allegation, and whether there are any other related matters known regarding the alleged perpetrator.

Worker means board members, staff members, volunteers, interns, suppliers, consultants or BCF contractors.

A reasonable belief is formed if a reasonable person believes that:

- a) the child is in need of protection,
- b) the child has suffered or is likely to suffer “significant harm as a result of physical injury,” or
- c) the parents are unable or unwilling to protect the child.

A ‘reasonable belief’ or a ‘belief on reasonable grounds’ is not the same as having proof, but is more than mere rumour or speculation.

A ‘reasonable belief’ is formed if a reasonable person in the same position would have formed the belief on the same grounds. For example, a ‘reasonable belief’ might be formed if:

- a) a child states that they have been abused;
- b) a child states that they know someone who has been abused (sometimes the child may be talking about themselves);
- c) someone who knows a child states that the child has been abused;

- d) professional observations of the child’s behaviour or development leads a professional to form a belief that the child has been abused or is likely to be abused; and/or
- e) signs of abuse lead to a belief that the child has been abused.

REVIEWING

Every two years, and following every reportable incident, a review shall be conducted to assess whether BCF’s child protection policies or procedures require modification to better protect the children under the organisation’s care.

RELATED DOCUMENTS

- Code of Conduct
- Child Protection Code of Conduct
- Child Protection Incident Reporting Form
- Use of Children’s Images Policy

Effective date	March 9 th 2020
Next review date	March 9 th 2022, or following a reportable incident
Approval	BCF Board