

## **Child Protection Policy**

#### One Heart

Empowering children to break the poverty cycle.

One Heart works in East Africa to break the cycle of poverty. Our holistic model provides children with the love, care and skills they need to fulfil their potential and create lasting generational change.

Our work addresses the root causes of systemic poverty. We provide children with a safe place to call home, access to health and wellbeing services, quality education and pathways for further education and training. It's a sustainable and entrepreneurial approach that considers the needs of the whole community.

#### **Values**

#### **Embrace**

We place love at the centre of every decision we make and action we take.

#### Lift Up

We work collaboratively with individuals and local communities to achieve their full potential.

#### **Break Through**

We approach every challenge with persistence, positivity and innovative thinking.

#### Reach Out

We connect with our local and global community to share knowledge and resources.

#### The One Heart Model

#### Love is at the heart

The One Heart model is a holistic and multi-faceted approach, connecting in to a wider global framework set out by the United Nations (UNSGDs) and UNICEF. Our focus is to give a true hand up, not just a hand out, with love at the centre of all we do.

### Safe place to call home

It starts with providing life's absolute fundamentals – shelter, safety, nutrition and sanitation. Our homes provide a warm and welcoming family atmosphere.

#### Health & Wellbeing

We take a 'whole of child' approach – supporting and nurturing the cognitive, physical, behavioural, social and emotional development of each child in our care.

#### **Education & Training**

We provide a quality, well-rounded education spanning traditional academic studies, sport, arts and STEM, as well as core life skills – problem solving, collaboration, self-knowledge and contributing to community.

#### Sustainable Future

We establish sustainable systems that support individuals, families and communities to thrive. Our schools and social enterprises in-country generate fees and income, food and skills training, removing donor dependence over time.

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## **Statement of Commitment**

At One Heart Foundation Limited (One Heart) all children under our care have the right to feel safe and be safe. The wellbeing of our children will always be our first priority and we do not and will not tolerate child abuse or exploitation.

One Heart aims to create a child-safe and child-friendly environment where children are free to enjoy life to the full without any concern for their safety. There is particular attention paid to the most vulnerable children, including children from culturally and/or linguistically diverse backgrounds, and children with a disability.

One Heart takes its duty of care seriously.

We commit to providing all One Heart staff with the necessary support to enable them to fulfil their roles. This will include regular and appropriate learning opportunities.

We commit to listening to all concerns voiced by the children in our care and staff concerns.

## **Purpose**

The purpose of this Child protection policy is:

- 1. To facilitate the prevention of child abuse occurring within One Heart services and/or programs.
- 2. To promote a child safety organisational culture.
- 3. The policy aims to educate staff and other stakeholders about child abuse.
- 4. The policy will provide guidance on how to respond to concerns and allegations of child abuse, detecting possible occasions for child abuse and for establishing controls and procedures for preventing such abuse.
- 5. This policy will outline a range of risk management strategies that will be implemented which will reduce the risk of children being harmed.
- 6. One Heart is obliged to adhere to local and international child protection criminal laws, which prohibit the abuse and exploitation of children. These include local laws where One Heart programs exist, and international laws and Conventions in relation to all forms of child abuse and child exploitation, including: child sex tourism, child sex trafficking, child labour and child pornography.

## Scope of the policy

This policy applies to all staff and other key groups.

'Staff' refers to: full time, part time, international and national and also those engaged on short term contracts such as: consultancies, researchers, photographers or minister of religion etc.

'Others' refers to: visitors, volunteers, board members, trustees, staff in partnership agencies, and any other individuals or groups that have contact with the organisation.

'One Heart' refers to One Heart Foundation Limited and includes operations in Kenya and Uganda under One Heart Kenya and One Heart Uganda.

## **Policy**

One Heart has zero tolerance for child abuse and exploitation.

One Heart believes that all children have a right to be safe at all times, and we have an obligation to provide safe and protective services and environments.

One Heart recognizes its duty of care to take all reasonable steps to ensure that children are safe from harm.

Adherence to this Child Protection Policy is a mandatory requirement for all staff.

One Heart will ensure that all staff and relevant stakeholders are made aware of the policy and their responsibilities, to take proactive steps to create child safe and child friendly programs. Children in our programs should be given opportunities to express their views on matters affecting them.

One Heart believes that all children should be equally protected and assisted regardless of their gender, nationality, religious or political beliefs, family background, economic status, physical or mental health or criminal background.

## Responsibilities

The Board of One Heart 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 and a Child Protection Code of Conduct are in place.

The General Manager of One Heart is responsible for:

One Heart Child Protection Policy

- 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;
- Ensuring that all adults within the One Heart 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 (particularly as it relates to child safety);
- Providing support for staff, contractors and volunteers in undertaking their child protection responsibilities.

All directors/managers/heads of departments 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;
- Treat all staff and children with dignity and respect, acting with propriety, providing a duty of care, and protecting children and young people in their care.
- Educate employees about the prevention and detection of child abuse; and
- Facilitate the reporting of any inappropriate behaviour or suspected abusive activities.

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

- Familiarise themselves with the relevant laws, One Heart's Code of Conduct, and policy and procedures in relation to child protection, and comply with all requirements;
- Treat all children with dignity and respect, acting with propriety, providing a duty of care, and protecting children and young people in their care.
- Report any reasonable belief that a child's safety is at risk to the relevant authorities (such as the police) and fulfil their obligations as mandatory reporters;
- 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.

## **Definitions**

### **Duty of Care**

Duty of Care is a common law concept that refers to the responsibility of the organisation to provide children with an adequate level of protection against harm. It is the duty of the organisation to protect children from all reasonably foreseeable risk of injury.

### Child and young person

A child or young person is regarded to be any person under the age of 18 years, unless a nation's laws recognise adulthood earlier.

### **Child Protection**

Child protection is the term used to describe the responsibilities and activities undertaken to prevent or stop children being abused or maltreated.

#### **Child Abuse**

Abuse happens to male and female children of all ages, ethnicity and social backgrounds, abilities, sexual orientation, religious beliefs, and political persuasion. Child abuse includes physical, sexual, emotional, neglect, bullying, child labour and domestic violence. Both boys and girls can be the victims of abuse, and abuse can be inflicted on a child by both men and women, as well as by young people themselves. In some cases, professionals and other adults working with children in a position of trust also abuse children.

## Physical abuse

This occurs when a person purposefully injures or threatens to injure a child or young person. This may take the form of slapping, punching, shaking, kicking, burning, shoving or grabbing. The injury may take the form of bruises, cuts, burns or fractures.

#### **Emotional abuse**

This occurs when a child is repeatedly rejected or frightened by threats. This may involve name calling, being put down or continual coldness from parent or caregiver, to the extent that it affects the child's physical and emotional growth.

### Neglect

Neglect is the persistent failure or the deliberate denial to provide the child with clean water, food, shelter, sanitation or supervision or care to the extent that the child's

health and development are placed at risk.

#### Sexual abuse

This occurs when a child or young person is used by an older or bigger child, adolescent or adult for his or her own sexual stimulation or gratification - regardless of the age of majority or age of consent locally. These can be contact or non-contact acts, including threats. Sexually abusive behaviours can include the fondling of genitals, masturbation, oral sex, vaginal or anal penetration by any object, fondling of breasts, voyeurism, exhibitionism, and exposing the child to or involving the child in pornography.

#### It also includes:

- child grooming, which refers to actions deliberately undertaken with the aim of befriending and establishing an emotional connection with a child to lower the child's inhibitions in preparation for sexual activity with the child;
- sexual activity between peers that is non-consensual or involves the use of power or coercion;
- non-consensual sexual activity between minors (e.g. a 14-year-old and an 11-year-old), or any sexual behaviour between a child and another child or adolescent who, due to their age or stage of development, is in a position of power, trust or responsibility over the victim.

#### **Child-Sex Tourism**

ECPAT International defines child-sex tourism as: '...the commercial sexual exploitation of children by men or women who travel from one place to another, usually from a richer country to one that is less developed, and there engage in sexual acts with children, defined as anyone aged under 18 years of age.' (ECPAT International, 2006)

## **Bullying**

Bullying is the inappropriate use of power by an individual or group, with an intent to injure either physically or emotionally. It is usually deliberate and repetitive. The bullying may be physical or psychological (verbal and non-verbal).

- Physically, bullying includes pushing, hitting, punching, kicking or any other action causing hurt or injury.
- Verbal bullying includes insults, taunts, threats and ridicules.
- Psychological bullying includes physical intimidation and ostracism.

### **Exposure to Domestic Violence**

Domestic violence occurs when children and young people witness or experience the chronic domination, coercion, intimidation and victimisation of one person by another by physical, sexual or emotional means within intimate relationships. (adapted from the Australian Medical Association definition)

### Particularly vulnerable children

Child abuse takes place not only within the family environment, but also outside the family, including: institutions, at work, on the streets, in war zones and emergencies.

## Children in emergencies

Children in emergencies are especially vulnerable to abuse and exploitation. In an emergency or crisis situation, children are extremely vulnerable when they become part of a displaced or traumatised population.

### Reasonable grounds

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.

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 physically or sexually abused;
- b) a child states that they know someone who has been physically or sexually abused (sometimes the child may be talking about themselves);
- c) someone who knows a child states that the child has been physically or sexually abused;
- d) professional observations of the child's behaviour or development leads a professional to form a belief that the child has been physically or sexually abused or is likely to be abused; and/or
- e) signs of abuse lead to a belief that the child has been physically or sexually abused.

### **Mandatory Reporting**

The legal requirement to report suspected cases of child abuse and neglect is known as mandatory reporting. Mandated persons include teachers, nurses, police, psychologists, psychiatrists and medical practitioners.

## **Employment of New Personnel**

One Heart 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 One Heart's values and commitment to protect children; and
- prevent a person from working at One Heart if they pose a risk to children.

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

One Heart requires all workers/ volunteers to provide a valid Working with Children Check. One Heart may also require an Australian National Police Check (or State equivalent) and proof of identity documents such as a passport and driver's license before they commence working at One Heart and during their time with One Heart at regular intervals.

One Heart will undertake thorough reference checks as per the approved internal procedure.

Once engaged, workers/volunteers must review and acknowledge their understanding of this Policy.

One Heart reserves the right to refuse employment to or terminate any person's employment that may pose a risk to children.

# **Risk Management**

One Heart recognizes that there a number of potential risks to children in the delivery of our programs to the vulnerable and disadvantaged. In recognizing these risks, One Heart proactively assesses and manages these risks to children in our programs (and in the communities in which we work) to reduce the risk of harm. This is achieved by examining each program and its potential impact on children.

Before any workers or volunteers participate in International Trips, training programs administered by One Heart will be undertaken by each individual to ensure child protection and safety policies and guidelines are adhered to.

Programs that involve direct work with children are considered a higher risk, and therefore require more stringent child protection procedures. However, as children are part of every community in which we work, we are always mindful of potential risks.

Risk management is an ongoing part of every activity, and One Heart conducts a child protection risk assessment on every new and emerging program and project, included in the project management cycle.

Staff and others should continually be aware of risks, and be actively minimizing opportunities and situations where children can be harmed.

A child abuse incident reporting sheet has been developed and staff are aware of its existence. This is available at Annex B.

# Reporting

One Heart considers the abuse and exploitation of children to be completely unacceptable. We will take all concerns and reports of child abuse seriously and act on these reports immediately.

It is mandatory for all One Heart staff and others to report concerns or allegations of child abuse to their Supervisor. These concerns may relate to a child or a staff member involved in the organisation or a concern about a child or person/s outside of the organisation's programs.

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 or General Manager and also to any external regulatory body such as the police.

### Reporting of child abuse allegations overseas

- Child abuse reports should be made to the Head of Departments or General Manager. Please refer to the relevant One Heart In-Country Child Protection Policy.
- If this is not possible reports can be made directly to the Australian General Manager. An initial assessment will be made based on the quality and reliability of the information and a decision will be made (in consultation with the CEO) on what steps to take.
- Child abuse concerns should be raised immediately to Australia via email
- A local reporting procedure will guide the process based on whether the allegation constitutes a criminal offence in the country, or whether it is a breach of the One Heart code of conduct and will be dealt with as a disciplinary matter.
- The first step will be to gather all the relevant information and address any health and protection needs of the child. The matter may be directly referred to the local police and or authorities if the allegations are considered to be criminal offences. The Senior Social Worker should also be notified to assist in addressing any counselling needs for the child.
- If the incident has occurred outside of the program the matter will be refereed to an external body or agency dealing with child protection matters in the country.
- An official report should be sent to the Australian Administration. Refer to the Abuse Incident Reporting Form.
- All reports will be handled professionally, confidentially and expediently.

## **Relevant Legislation**

Children, Youth and Families Act 2005 (Vic.)

Working with Children Act 2005 (Vic.)

Equal Opportunity Act 2010 (Vic.)

Privacy Act 1988 (Cth)

Crimes Act 1958 (Vic.) -

Three new criminal offences have been introduced under this Act:

- a) Failure to disclose offence: Any adult who forms a reasonable belief that a sexual offence has been committed by an adult against a child under 16 has an obligation to report that information to police. Failure to disclose the information to police is a criminal offence.
- b) Failure to protect offence: The offence will apply where there is a substantial risk that a child under the age of 16 under the care, supervision or authority of a relevant organisation will become a victim of a sexual offence committed by an adult associated with that organisation. A person in a position of authority in the organisation will commit the offence if they know of the risk of abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so.
- c) **Grooming offence:** This offence targets predatory conduct designed to facilitate later sexual activity with a child. Grooming can be conducted in person or online, for example via interaction through social media, web forums and emails.

# 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 or General Manager 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 or General Manager may decide to conduct such an investigation. All employees, contractors and volunteers must cooperate fully with the investigation.

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

The CEO or General Manager will make every effort to keep any such investigation confidential; however, from time to time other members of staff 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 General Manager 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.

## Responding

If it is alleged that a member of staff, contractor or a volunteer may have committed an offence or have breached the organisation's policies or its 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 Code of Conduct) has occurred then disciplinary action may follow, up to and including dismissal or cessation of involvement with the organisation. The findings of the investigation will also be reported to any external body as required.

## **Privacy**

All personal information considered or recorded will respect the privacy of individuals involved unless there is a risk to someone's safety. One Heart Foundation Limited 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.

# Reviewing

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

## Code of Conduct for working with children

Staff members and others are responsible for maintaining a professional role with children, which means establishing and maintaining clear professional boundaries that serve to protect everyone from misunderstandings or a violation of the professional relationship.

All staff should conduct themselves in a manner consistent with their role as a One Heart representative and a positive role model to children.

One Heart has developed a child safe code of conduct to protect children, staff and the organisation by providing clear behavioural guidelines and expectations.

All people involved in the care of children on behalf of One Heart WILL:

- 1. Treat all children and young people in our program with respect and value their ideas and opinions.
- 2. Conduct myself in a manner that is consistent the values of One Heart and comply with organisation guidelines on contact with children.
- 3. Maintain a duty of care for all children, young people, parents, staff and volunteers involved in these programs.
- 4. Respect cultural differences.
- 5. Encourage open communication between all children, young people, parents, staff and volunteers and have children and young people participate in the decisions that affect them.
- 6. Report any concerns of child abuse.
- 7. At all times staff should be transparent in their actions and whereabouts.
- 8. Take responsibility for ensuring they are accountable and do not place themselves in positions where there is a risk of allegations being made.
- 9. Act as positive role models in their conduct with children and Self-assess their behaviours, actions, language and relationships with children.
- 10. Speak up when they observe concerning behaviours of colleagues.

#### No person will:

- 1. Engage in behaviour that is intended to shame, humiliate, belittle or degrade children.
- 2. Use inappropriate, offensive or discriminatory language when speaking with a child or young person.
- 3. Do things of a personal nature that a child can do for him/herself, such as assistance with toileting or changing clothes.
- 4. Take children to their own home/hotel or sleep in the same room or bed as a

child.

- 5. Smack, hit or physically assault children.
- 6. Develop sexual relationships with children or relationships with children that may be deemed exploitative or abusive.
- 7. Behave provocatively or inappropriately with a child.
- 8. Condone or participate in, behaviour of children that is illegal, unsafe or abusive.
- 9. Act in a way that shows unfair and differential treatment of children.
- 10. Photograph or video a child without the consent of the child and his/her parents or guardians.
- 11. Hold, kiss, cuddle or touch a child in an inappropriate, unnecessary or culturally insensitive way.
- 12. Seek to make contact and spend time with any child or young person outside the program times.
- 13. Use One Heart's computers, mobile phones, video and digital cameras inappropriately, nor use them for the purpose of exploiting or harassing children.
- 14. Hire minors as domestic labour.
- 15. Work with children whilst under the influence of alcohol and illegal drugs.
- 16. Show favouritism through the provision of gifts or inappropriate attention. Likewise, do not discriminate against any child.

### What happens if you breach this Code of Conduct

If you breach this Code of Conduct you will face disciplinary action, including and up to termination of employment or cessation of engagement with the organisation.

## **Sponsorship Guidelines**

One Heart recognises the need to implement specific guidelines to manage the child protection risks within its sponsorship programs.

These guidelines include ensuring that:

- 1. Letters and messages sent via the Donor Portal will be vetted and any which contain political or religious comments which could cause offence or be inappropriate will not be forwarded to the child.
- 2. All sponsors will receive clear child protection and behavioural guidelines upfront.
- 3. All visits should be arranged in advance through our office and sponsors interviewed.
- 4. Supporters are not to organise visits to their sponsor child without the

- knowledge of One Heart and must provide at least 3 months written notice of the desire to visit.
- 5. Working with Children Checks or Police checks are required for visiting sponsor children and any accompanying family members.
- 6. All visiting supporters will sign the child protection policy.
- 7. One Heart staff will be present at all times during the visit.
- 8. Children should not be invited to leave or taken away from their communities.
- 9. Invitations to the supporters' country are not allowed.
- 10. Supporters will be interviewed before each visit.
- 11. All gifts and correspondence will be screened by the agency.
- 12. Supporters and sponsored children and their families should not exchange mailing addresses during visits.
- 13. After every visit, a report will be sent to the head office.
- 14. All visits will be monitored.
- 15. Where supporters go against policies the organisation can bring a child sponsorship to a close.

## Use of children's images

One Heart will at all times portray children in a respectful, appropriate and consensual way. Our guidelines on the use of children's images are:

- 1. A child should always be portrayed in a dignified and respectful manner and not in a vulnerable or submissive manner. Children should be adequately clothed and not in poses that could be seen as sexually suggestive.
- 2. A child and its family must always be asked for consent when using their images. When asking for consent to use the image, details should be given as to how and where this image will be used. Consent is to be obtained and documented pursuant to the "Consent Record" form, imbedded in Annex A.
- 3. There should be no identifying information of the child used in the publication of images with their location.
- 4. Children should be portrayed as part of their community.
- 5. Local cultural traditions should be assessed regarding restrictions for reproducing personal images.
- 6. Images should be an honest representation of the context and the facts.
- 7. When sending images electronically, file labels should not reveal identifying information.
- 8. All photographers will be screened for their suitability, including police checks where appropriate.

## Annex A



## **Consent Record**

Pursuant to the Child Protection Policy, this record is to be completed on each trip to maintain accountability of staff/volunteers in obtaining consent for use of images.

This form is to be printed and completed daily whilst on the trip.

Upon returning to Australia, this form is to be emailed in to: Hannah Easton.

Date	Location	Image Identifier	Consent Obtained?

Your Name:			
Signature:			
Date:			

## **Annex B**



# **Child Abuse Incident Report**

Pursuant to the Child Protection Policy, this form is to be completed to report any suspected child abuse incidents or allegations. Child/Client Name: Date of incident: Place where incident occurred: Person making report: Type of Incident: ☐ Suspicion or allegation of abuse or neglect ☐ Suspicion of potential harm ☐ Potential abuse or criminal matters ☐ Episode of severe challenging behaviour □ Breach of duty of care □ A complaint by the child Details of Incident: (Please describe the incident including alleged perpetrator/s behaviour, sighted injury or other indicators of abuse, conversations with the child.)

Actions undertaken (if any):					
Incident Response:					
(Please tick who of the following have been informed of this incident, and provide further information where relevant)					
□ Police:					
□ Ambulance/Doctor:					
☐ Family/Carer:					
<ul><li>Manager at One Heart Foundation:</li><li>Other:</li></ul>					
Additional Comments:					
Acknowledgement of Form Completion:					
I have completed this form to the best of my knowledge and ability					
Name:					
Position:					
Signed:					
Data					