
INTRODUCTION

This policy affirms Adara's fundamental belief that children have the right to be protected and free from abuse and exploitation. Adara endorses the UN Convention on the Rights of the Child (1989), and specifically Article 19 which states that:

Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.

This policy seeks to address the important issue of child protection at all levels affected by the work of Adara, and will be revised regularly to ensure it remains relevant and complies with current legislation. Adara believes that the protection of children from abuse and exploitation is the responsibility of all those who participate in the work space of Adara, including staff, directors, volunteers, contractors and visitors.

In keeping with the UN Convention on the Rights of the Child, Adara considers a child to be a person under the age of 18 years.

PURPOSE OF POLICY

This policy provides a practical guide to prevent child abuse and exploitation in Adara's programs and it demonstrates Adara's commitment to protect children from harm and abuse. It aims to educate Adara staff, directors, volunteers, contractors and visitors (Adara representatives) about child abuse and exploitation and promote a child safe and a child friendly culture where everyone is committed to keeping children safe from harm.

Additionally, the policy provides guidance on how to respond to concerns and allegations of child abuse or exploitation.

Adara must adhere to local and international child protection criminal laws, which prohibit the abuse and exploitation of children. These include local laws where Adara's 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.

Adherence to this policy is a mandatory requirement for all Adara representatives .

CHILD PROTECTION POLICY

IMPORTANT CONCEPTS

To understand the scope of this policy, it is important to understand a number of concepts and definitions which are used in the policy.

According to Childwise¹, **abuse** of a child can occur in several different ways, including:

¹Childwise (2001). Choose With Care, Ecpat, Victoria.

- **Physical abuse:** Occurring when a person purposefully injures or threatens to injure a child or young person and can take the form of slapping, punching, shaking, kicking, burning, shoving or grabbing
- **Emotional abuse:** A chronic attack on a child or young person's self-esteem, taking the form of name calling, threatening, ridiculing, intimidating or isolating a child or young person
- **Neglect:** The failure to provide the child with the basic necessities of life, such as food, clothing, shelter, space, and supervision, to the extent that the child's health and development are placed at risk
- **Sexual Abuse:** 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

Child **abuse and exploitation** generally refers to 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**

Child abuse material is material that depicts (expressly or implicitly) a child under 18 years of age as a victim of torture, cruelty or physical abuse.

Child exploitation material is the collective description for material, irrespective of its form, which constitutes **child abuse material** or **child pornography material**.

Child pornography material depicts, or is a representation of, a person who is, or appears to be, under 18 years of age and who is, or appears to be, engaged in a sexual pose or sexual activity, or is in the presence of a person who is, or appears to be engaged in, a sexual pose or activity, and does this in a way that a reasonable person would, in all the circumstances, regard as being offensive.

Grooming generally refers to behaviour that makes it easier for an offender to procure a child for sexual activity. For example, an offender might build a relationship of trust with the child, and then seek to make that relationship a sexual one (for example by encouraging romantic feelings or exposing the child to sexual concepts through pornography).

Online grooming can occur when a person sends an electronic message with indecent content to a person who the sender believes to be under 18 years of age, with the intention of procuring the recipient to engage in or submit to sexual activity with another person, including but not necessarily the sender.

INTRODUCTION

All Adara representatives will conduct themselves in a manner which ensures children's rights and needs are always given priority. Children are often at risk from abuse and exploitation from a variety of sources. It is the responsibility of Adara representatives to minimise this risk by promoting and being examples of good practice in identifying and managing potential risks. The Code of Conduct describes the basic expectations of Adara representatives regarding their contact and dealings with children.

Adara recognises that each country has its own legal system. This policy and these standards must be interpreted and enforced in accordance with local law. There may be instances where the policy and standards are more stringent than local law, and in these cases the Adara policy should be followed.

CORE OBLIGATIONS

Adara will act at all times to ensure children's safety and protection. Adara values its staff, directors and volunteers and will support their active contribution to achieving this goal.

Adara representatives will:

- Maintain and promote a safe environment for children to participate in Adara's activities
- Organise work to minimise the risk of all forms of child abuse and exploitation and accidental harm to children
- Take action to inform themselves and others on the rights of the child and specifically child protection
- Treat all children with the highest standards of respect and courtesy
- Listen to children
- Be aware of how their interactions with children may be seen by the children themselves and others
- Establish a culture that empowers children, their families and communities to be knowledgeable of their rights, to know what is acceptable and unacceptable and to know what they can do when there are problems
- Immediately report any allegations or suspicions of child abuse to the Chief Executive Officer
- Respond swiftly and in confidence to any such allegations
- Conduct themselves in a manner that is consistent with Adara's culture and values

In addition, Adara representatives will:

- be knowledgeable of local customs, practices and behaviours
- consider children's health, safety and well-being, and their best interests, as paramount
- not condone or participate in behaviour involving children which is illegal, unsafe or abusive
- avoid being placed in compromising or vulnerable positions
- not discriminate against or show favour to particular children
- not use their position of authority inappropriately
- not use their relationship with children to obtain inappropriate favours
- realise that they are always the responsible parties, even if a child behaves inappropriately
- not behave in a way whereby their actions (physical, verbal or otherwise) are or could be perceived as offensive, inappropriate, abusive, neglectful or exploitative
- Where possible and practical, not spend time alone with children who are not members of their immediate or extended family, in their homes, project premises or elsewhere
- not provide shelter for children in their homes unless in the case of extreme emergency

ANY BREACH OF THE CODE OF CONDUCT CAN LEAD TO DISMISSAL OF ADARA STAFF, DIRECTORS, VOLUNTEERS AND CONTRACTORS FROM EMPLOYMENT OR SERVICE AND MAY RESULT IN LEGAL PROCEEDINGS

CORE PRINCIPLES

The following six core principles are specifically adopted as part of this policy, and will be incorporated into all relevant documents and agreements entered into or adopted by Adara:

- All forms of abuse and exploitation of children by humanitarian and development workers constitute acts of gross misconduct and are therefore grounds for termination of employment
- Where a humanitarian or development worker develops concerns or suspicions regarding any type of child abuse or exploitation s/he must report such concerns via established agency reporting mechanisms
- Humanitarian and development workers are obliged to create and maintain an environment that prevents all forms of abuse and exploitation of children and promotes the implementation of the Adara code of conduct. Managers at all levels have particular responsibilities to support and develop systems that maintain this environment

- Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of majority or age of consent locally. Mistaken belief in the age of a child is not a defence
- Exchange of money, employment, goods, or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour is prohibited. This includes exchange of assistance that is due to beneficiaries
- Sexual relationships between humanitarian and development workers and beneficiaries (both adults and children) are prohibited since they are based on inherently unequal power dynamics. Such relationships undermine the credibility and integrity of humanitarian aid work

CHILD PROTECTION PROCEDURES

ORGANISATIONAL AWARENESS AND ADVOCACY

All Adara representatives will be informed of Adara's child protection policies and compliance with them is expected. Any breach is treated with the utmost seriousness and will be investigated and dealt with accordingly.

Child protection awareness will be included at all stages of Adara operations including the hiring, orientation and training of all representatives who will come into contact with children at all levels and in all offices.

Adara will ensure that all Adara representatives have read and are aware of this policy. Any changes made to the policy will be communicated immediately.

RECRUITMENT

Adara is committed to child safe recruitment, selection and screening practices. All Adara representatives will be informed of this policy during the recruitment process. All employees and volunteers will be required to sign an acknowledgement that they have both read this policy and will comply with its requirements.

Where Adara determines it is necessary or appropriate, employees and volunteers, particularly those who conduct work that brings them into direct contact with children, must provide a "working with children" or similar clearance from the applicable regulator and/or assist Adara to make background checks, which may include police or criminal history checks. All staff will be required to provide original proof of identity documents such as a birth certificate, passport, driver's licence and relevant qualifications, when requested by Adara to do so.

Adara may refuse to employ, or terminate the employment of, any person who it reasonably believes may pose a risk to children.

TRAINING

This policy will be made available to all staff, volunteers and others visiting or involved with Adara projects. It is the responsibility of the Chief Executive Officer to ensure that all Adara offices, including overseas, have a copy of and that all Adara staff are aware of, and trained on, this policy.

The Chief Executive Officer will nominate a person in each office responsible for ensuring that all their representatives adhere to this policy. In situations where any part of the policy is in conflict with local law, that responsible person must bring this to the attention of the Chief Executive Officer.

Staff will be made aware of the importance of their own responsibility in the upholding and implementation of this policy. Any violation of the policy (including any suspected or known abuse or exploitation) must be reported directly to the Chief Executive Officer.

MARKETING AND PRINTED MATERIAL

Adara undertakes all reasonable precautions to protect paper and electronic information about children. At all times staff are required to adhere to Adara's policies in relation to privacy and photography – use of image.

All communications involving children must use pictures and text that are decent and respectful.

ALLEGATION REPORTING, MANAGEMENT AND INVESTIGATION

Adara is committed to doing all it possibly can to prevent the abuse of children and to hold accountable all those who do.

ALL ADARA REPRESENTATIVES ARE REQUIRED TO REPORT IMMEDIATELY TO THE CHIEF EXECUTIVE OFFICER ANY:

- Disclosure or allegation from a child or community member or Adara representative regarding the safety, abuse or exploitation of a child
- Observation of concerning behaviour by any Adara representative that breaches this policy or the Child Protection Code of Conduct
- Inappropriate use of Adara's technology, including computers and photographic equipment
- Person engaging in suspicious behaviour that could be associated with child abuse or exploitation or trafficking

IF A PERSON KNOWINGLY CHOOSES NOT TO REPORT AN INCIDENT OR ANY SUSPICION OF CHILD ABUSE OR EXPLOITATION, THEN THEY WILL BE REMOVED FROM ANY ASSOCIATION WITH ADARA.

The Chief Executive Officer will conduct an investigation in a timely and thorough manner, and may require the assistance of outside legal, mediation or other expert advice. The investigation and its outcomes will be appropriately documented.

The investigation may require the interview of the person making an allegation, other witnesses and the person who is alleged to have been involved in the incident or is the subject of the suspicion. The matter may be referred to local police or other authorities if it is considered to involve criminal behaviour.

Adara will treat all concerns raised seriously and treat all parties involved fairly. All reports will be handled professionally, confidentially and expeditiously. All reports, the names of people involved and the details will remain confidential and any disclosure will be on a "need to know" basis or when required by relevant local or Australian law or when police or child protection authorities are notified of the incident or allegation.

All reports made in good faith will be viewed as being made in the best interests of the child regardless of the outcomes of any investigation. Adara will ensure that the interests of the Adara representative reporting child abuse in good faith are protected. Any Adara representative who intentionally makes false or malicious allegations, will face disciplinary action.

The rights and welfare of the child is of prime importance. Every effort will be made to protect the rights and safety of the child throughout any investigation.

During an investigation, the best interests of the child may warrant the standing down of an Adara representative. Any staff member stood down in this manner will continue to receive full pay - recognising that the member is entitled to a fair process that does not pre-judge the outcome of any investigation.

CHILD PROTECTION CODE OF CONDUCT

I, _____, agree that I will comply with Adara Development Child Protection Policy and, while visiting project activities funded by or related to Adara Development, I will:

- Treat children with respect regardless of race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status
- Not use language or behaviour towards children that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate
- Not engage children in any form of sexual activity or acts, including paying for sexual services or acts. I understand that mistaken belief of the age of the child is not a defence
- Wherever possible, ensure that another adult is present when working in the proximity of children
Not invite unaccompanied children into my home, unless they are at immediate risk of injury or in physical danger
- Not sleep close to unsupervised children unless absolutely necessary, in which case I must obtain my manager's permission, and ensure that another adult is present if possible
- Use any computers, mobile phone, or video and digital cameras appropriately, and never exploit or harass children or to access child pornography through any medium
- Refrain from physical punishment or discipline of children (excluding my own children)
- Refrain from hiring children for domestic or other labour which is inappropriate given their age or developmental stage, which interferes with their time available for education and recreational activities, or which places them at significant risk of injury
- Comply with all relevant legalisation, including labour laws in relation to child labour
- Immediately report concerns or allegations of child abuse in accordance with appropriate procedures outlined in the Adara Child Protection Policy

USE OF CHILDREN'S SOUNDS AND IMAGES FOR WORK RELATED PURPOSES

I agree that I will comply with Adara Development Photography Use of Image Policy, set out in the Annexure.

I understand that the onus is on me to use common sense and avoid actions or behaviours that could be construed as child abuse when undertaking project activities.

I confirm that at no time have I ever been involved in or convicted of any criminal offence, including an offence of or relating to child abuse or child pornography, in any country. I have not been charged with any offence that is incomplete or awaiting legal action, nor am I aware of any investigation into my affairs that has the potential to lead to such charges.

NAME (please print)

Signature

Date

CHILD PROTECTION CODE OF CONDUCT

Annexure

PHOTOGRAPHY

USE OF IMAGE POLICY

1. CONSENT

- 1.1. Photos on location at any project site of Adara Development must only be taken after permission has been granted by the person(s) to be photographed.
- 1.2. Photos of children on location at any project site of Adara Development will not be taken unless parental or guardian consent has been obtained.
- 1.3. When possible, establish a relationship before you start taking photos. When you approach photo subjects on site, briefly introduce yourself, be courteous, and explain the purpose of your visit or the reason you want to take photos. In clinical contexts, speak with the clinical director before you begin photographing workers or clients.

2. TYPES OF IMAGES

- 2.1. Photos must be taken in a courteous manner, giving due respect to the local communities, staff and others.
- 2.2. The images must present subjects in a dignified manner and should not present them as vulnerable or victims.
- 2.3. People (especially children) should be adequately clothed in photographs and not in poses that could be interpreted as sexually suggestive.
- 2.4. Paternalistic images should be avoided (ex. portraying the agency/donors as the 'providers')
- 2.5. Avoid using images of identifiable clients in clinics.

3. PHOTO USE

- 3.1. You will not use any pictures, images, or other likenesses of children and/or information related to children that could compromise their care and protection through any form of communication media (including all social media such as Facebook, MySpace, Flickr, Twitter, YouTube, etc.)
- 3.2. Remember: photographing and using photos of vulnerable populations requires extreme care and sensitivity. To protect the identity of individuals who may be put at risk of reprisal or rejection in their communities as a result of allowing their picture to be taken it is necessary to make sure they cannot be identified and leave out personal information such as names.
- 3.3. Images of children should not be accompanied by information relating to their place of residence. Images with corresponding text which may identify a child must be removed.
- 3.4. Photographs should be used in context and should be a true representation of events.
- 3.5. Images will not be used in public communications without the written approval of the Communications Manager of Adara Development.

4. MEDIA

- 4.1. Media (including print, TV, video, documentary or other media) must act with particular sensitivity to ensure our staff, communities and beneficiaries are not endangered.
- 4.2. No individual child's image (including photo or video) may be used in any identifiable form for the purpose of media.
- 4.3. Pictures of children in groups of more than three are permissible as long as they are not labelled, named or otherwise identified in any way.
- 4.4. Direction and permission for any media must be sought from and given by the Communications Manager and/or Country Director.