



InterplastTM
Repairing bodies & rebuilding lives
in the Asia Pacific region

CHILD PROTECTION POLICY & PROCEDURES

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Managed on behalf of the CEO and Board by: Child Protection Officer

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Important Note:

Interplast's Child Protection Policy forms part of Interplast's broader suite of safeguarding policies and other documents, some of which are available on Interplast's website (<https://www.interplast.org.au/learn-more/our-organisation/interplast-policies/>).

This includes:

- Prevention of Sexual Exploitation and Abuse Policy
- Whistle Blower Policy
- Complaints Policy
- Grievance Policy
- Human Resource Manual (which outlines processes to prevent bullying and harassment)
- Interplast Incident Management Framework
- Codes of Conduct for all personnel, including staff, program activity participants, consultants and office volunteers.

Further information and guidance related to the implementation of this policy is also found in the:

- Case Study and Photography Policy and
- Case Study and Photography Guidelines

If you need to report:

The process and contacts for reporting can be found on page 13 of this document. The detailed process for child protection reporting and response can be found in Appendix 1 on page 19 of this document.

1. Policy Statement

As an organisation that works in developing countries with vulnerable communities and children with disabilities, Interplast has a strong commitment to child protection and safeguarding, as part of its broader commitment to human rights and anti-discrimination.

Interplast Australia and New Zealand is a child safe organisation and does not tolerate any form of child exploitation or abuse. Interplast programs facilitate positive outcomes for children, through plastic and reconstructive surgical services and associated allied health support. Through these programs, Interplast is committed to improving opportunities for children to lead a healthy, meaningful life, engaged in their community.

Each person who shares in the work of Interplast shares in the responsibility to take every precaution to protect the children associated with programs from all forms of abuse and exploitation.

Interplast recognizes a number of key factors relating to its delivery of overseas programs, that are of significance to its work to ensure that children are kept safe:

- programs involve contact with vulnerable children, that is of a personal (clinical) nature. As such, it is Interplast's duty of care to ensure that it does no harm and takes steps to ensure that the safeguarding this contact is taken very seriously.
- local partners (medical professionals) with whom it works to deliver programs play a specific role in the community to keep children safe and are trusted and accessible professionals.
- children may come into contact with our programs who are not just patient beneficiaries, but also family members (siblings/children) of patients.

To this end, Interplast will ensure:

- *Awareness:* Interplast's commitment to protecting and safeguarding children is embedded in the organisation's culture; responsibility for taking action is understood and accepted at all levels of the organisation, staff, volunteers and local partners are educated and trained about child safety and Interplast's Child Protection Policy.
- *Prevention:* Interplast carefully recruits and manages its staff and volunteers, and ensure that through awareness and personal and professional conduct, that staff and program activity participants minimise the risk to children
- *Reporting:* All personnel have clear steps to follow where concerns arise regarding the safety of children
- *Responding:* Action is taken to support and protect children where concerns arise regarding possible abuse.

Interplast's commitment to the protection and safeguarding of children is underpinned by the upholding of the *UN Convention of the Rights of the Child* (1989), local and international legislative frameworks, the Australian Council For International Development (ACFID) Code of Conduct and the Department of Foreign Affairs and Trade (DFAT) Child Protection Policy, as well as meeting DFAT's 9 minimum standards for child protection.

2. Purpose of this Policy

This policy sets out Interplast's principles, obligations, standards and procedures to protect and safeguard children against all forms of child abuse and exploitation. It outlines Interplast's policy aims and the responsibilities of Interplast personnel and includes a Code of Conduct for all Interplast personnel¹ who may have interactions with children through the course of their engagement.

This policy is accompanied by two tool kits (one for internal program staff and management and the other for all other personnel) which provide tools and templates to assist managing and reducing the risks of child abuse and exploitation by persons engaged in Interplast's programs and activities both in Australia and overseas. See Appendix 3 for details.

3. Legislative Frameworks and Standards

Interplast adheres to child protection laws which prohibit the abuse and exploitation of children, both in Australia and overseas (see appendix 2). These include the laws in countries where Interplast's programs are implemented, and international laws and conventions in relation to all forms of child abuse and child exploitation, including: child sex tourism, preparatory laws, child sex trafficking, child labour and child pornography.

Interplast's Child protection and safeguarding principles and practice are underpinned by those principles and practices outlined in the Department of Foreign Affairs and Trade (DFAT) Child Protection Policy 2017. Interplast is compliant with the 9 minimum standards outlined in the DFAT policy. Interplast principles and practices are also informed by the ACFID Code of Conduct (Quality Principle 1: Rights, Protection and Inclusion), in particular, Commitment 1.4, Advancing the Safeguarding of Children).

Interplast also adheres to the following Australian legislation and international conventions and frameworks:

- Criminal Code Act 1995 (national)
- Relevant State and Territory legislation
- Council of Australian Governments' Protecting Children is Everyone's Business: National framework for Protecting Australia's Children 2009-2020
- United Nations Convention on the Rights of the Child

More detail on the above standards, legislation and frameworks can be found in *Appendix 2* of this document.

4. Guiding Principles

The principles underpinning Interplast's Child Protection Policy are:

- The recognition of children's rights: The United Nations Convention on the Rights of the Child (UNCRC) underpins Interplast's approach to decisions about safeguarding and protecting children. Interplast will promote children's rights to life, survival and development; participation; non-discrimination and to have their best interests considered in any decision making

¹ Refer to page 5, section 5, for definition.

- The best interests of the child are paramount: Consideration of what is in the best interests of the child is key in any decision related to Interplast's work with children. Interplast will be guided by appropriate laws but our policy may go beyond these.
- Safeguarding and protecting children is a shared responsibility: It is everyone's responsibility to maintain vigilance, practice risk management, and to promote optimum life chances for children.
- From a risk management approach: Interplast acknowledges that its work is associated with child protection risks. The organisation is committed to identifying and minimizing preventable risk and mitigating the impacts of unavoidable risks as they arise. All personnel are expected to be continually aware of potential risks to children, as well as to be actively minimising opportunities and situations where children can be harmed.
- There is zero tolerance of child abuse and exploitation.
- Interplast will follow and apply procedural fairness to all concerned when responding to reports or allegations of child abuse.

5. Scope of the Policy

This policy applies to the following people:

- Interplast staff members and volunteers²,
- Contractors,
- Consultants,
- Interplast Board of Directors, and
- Observers/visitors accompanying an Interplast activity.

These people are collectively referred to as Interplast personnel for the purposes of this policy.

This policy is also applicable to relevant local partners in the countries in which Interplast works, and is referenced in all documented partnership agreements. Where practical, Interplast provides guidance to local partners to improve their own child safeguarding and protection practices. Where local partner organisations are not able to be bound by this policy (for example, local partner government institutions), Interplast works to ensure that those partners are aware of the policy, and understand both their own and Interplast's obligations relating to it. See section 8.1 for more details on local partner responsibilities.

All personnel are accountable for understanding and adhering to this policy in their daily work.

6. Key Definitions

The below relate to the key definitions used in this policy. Additional definitions can be found in Appendix 4.

² Volunteers include medical volunteers (surgeons, anaesthetists, nurses and allied therapists) undertaking an activity overseas or participating in professional development in their own country or overseas and non-medical volunteers including but not limited to those in administrative, promotional or fundraising roles. It also includes the medical professionals who sit on Interplast Board Committees and working groups.

Abuse	<p>Includes:</p> <ul style="list-style-type: none"> - 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
Child or children	<p>In accordance with the United Nations Convention on the Rights of the Child, ‘child’ means every human being under the age of 18 unless under the law applicable to the child, majority is attained earlier. For the purposes of this policy, a child is a person under the age of 18 years</p>
Child exploitation	<p>One or more of the following:</p> <ul style="list-style-type: none"> - 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 protection	<p>An activity or initiative designed to protect children from any form of harm, particularly that arising from child exploitation and abuse</p>
Contact with children	<p>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 <i>Working with children</i> definition)</p>
Local partner	<p>Includes an individual or organisation that Interplast has a partnership with in the Asia Pacific region, which is involved in the delivery of programs</p>
Informed consent	<p>Ensures the child and the parent or guardian understand the implications, purpose and potential uses of photographs or videos</p>
Safeguarding	<p>Safeguarding is the action that is taken to promote the welfare of children (or other vulnerable people) and protect them from harm. Safeguarding is the protection of vulnerable people of abuse and maltreatment, preventing harm to health or development, ensuring that they can live and grow with the provision of safe and effective care.</p>

7. Interplast Child Protection Code of Conduct

Interplast has developed a Child Protection Code of Conduct that outlines requirements of all personnel in terms of behaviour while engaged on Interplast business, as well as obligations for reporting concerns or allegations of child abuse. All Interplast personnel are required to understand and agree to adhering to the Interplast Child Protection Code of Conduct. Signatories agree to abide by all the standards and guidelines of the Interplast Child Protection Policy, and associated key documents, and note that any failure to comply with the standards of the Child Protection Policy and Code of Conduct may result in sanctions (see section 8.1 of this policy).

A full copy of Interplast's Child Protection Code of Conduct can be found at Appendix 1 on page 19 of this Policy.

8. Policy in Practice (Procedures)

8.1 Responsibilities of management, staff and volunteers

Interplast understands that child protection and safeguarding is everybody's responsibility. Within the organisation, specific roles and responsibilities are assigned to different positions and teams, as outlined below. Interplast has an appointed Child Protection Officer, which is a role held by a staff member who has been selected by the CEO and given appropriate training to be this focal-point.

All Interplast personnel must ensure that:

They understand and agree to abide by this policy, the Child Protection Code of Conduct and applicable procedures while working or volunteering for Interplast, and understand their specific obligations relating to child protection.

All personnel are responsible for reporting concerns, wherever they arise, as specified for each specific program location (available in hard copy in the team manual for each program activity and provided electronically to each team member prior to departure).

The child protection reporting process on page 13 outlines who is responsible and what process should be followed. This process is described in detail further on in this Policy.

CEO and Management must ensure that:

- All personnel are recruited in line with the recruitment and screening guidelines outlined in section 8.1 of this policy.
- All Interplast personnel understand and agree to abide by this policy, the Child Protection Code of Conduct and applicable procedures while working or volunteering for Interplast
- All personnel who have contact with or impact on children have received appropriate briefing and training
- Program Activities Coordinators have undertaken a child protection risk assessment for all Interplast activities to identify and minimise potential risks to children

Interplast Australia & New Zealand Child Protection Policy and Procedures

- Any issues raised relating to child protection (including during recruitment and screening of Interplast personnel) are addressed and documented, and any personnel who have identified child protection offences against them are not permitted to engage in Interplast activities.
- If there is any breach of the Child Protection Code of Conduct, or if a known or suspected offence against a child has taken place, that it is reported to DFAT within 5 working days.
- Any significant issues are escalated to the Board for information or response as appropriate.

The Interplast Child Protection Officer must ensure that:

- Current information of the child protection context within all program countries is maintained, and related briefing and training materials are updated as appropriate
- Interplast endeavors to review this policy annually, at least every 2 years.
- Interplast staff receive refresher training every 12 months relating to child protection
- All new staff are briefed, during their induction period, on child protection responsibilities related to their role
- Management, CEO and Board are kept briefed on all relevant changes to legislation and compliance requirements related to Child Protection

Program Activities Coordinators must ensure that:

- All personnel involved in the delivery of their respective program activities have complied with requirements outlined in the recruitment and screening guidelines outlined in section 8.1 of this policy.
- All personnel involved in the delivery of their respective program activities have been appropriately briefed and trained related to their obligations to child protection
- A child protection risk assessment has been undertaken for all Interplast activities to identify and minimise potential risks to children
- Any issues raised relating to child protection (including during recruitment and screening of volunteers or observers) are reported immediately to the CEO and Child Protection Officer for further action, and ensure appropriate documentation is completed

Local Partners in Interplast's Program Countries

- In line with the 2017 DFAT Child Protection Policy, Interplast is committed to having an agreement in place with all relevant local partners³ in relation to child protection.
- All documented agreements with relevant local partners include agreed measures and responsibilities in relation to child protection and safeguarding. Where they do not have an existing Child Protection Policy which meets DFAT standards, Interplast will extend their policy to that partner.
- Interplast recognizes that many of its implementing partners in its program countries are departments of the Government of that country, and therefore Interplast is unable to require that those institutions are bound by this policy. However, Interplast actively works with these partners to include child protection standards in all partner agreements and MOUs, and work to raise awareness of child protection issues and reporting in all programs.
- Interplast is also continuing to develop tools to assist local partners in improving their own childsafe standards.

³ As per definitions outlined in Interplast's Programs Manual

- Interplast assesses partner's organisations capacity to keep children safe by including child protection in our partner appraisal process.
- Interplast actively monitors the implementation of agreed child protection measures and obligations with our partners on an ongoing basis via child protection monitoring tools, project debriefs with volunteer medical practitioners, local partner visit reports, monitoring and evaluation visits by Interplast staff, annual partner survey, on-going communications with key partner staff, monitoring of child protection action plans and reviews of partnership capacity assessments.
- Interplast partners share the responsibility for identifying, reducing and monitoring child protection risks to children benefitting from Interplast program
- Interplast partners are required to report concerns relating to child protection regarding personnel working on Interplast projects immediately using the Interplast child protection reporting procedures
- Interplast partners are responsible for communicating the Interplast Child Protection Policy / Code of Conduct and reporting procedures to all their staff working on each Interplast programs.

8.2 Recruitment and Screening

Interplast is committed to child safe recruitment, selection and screening practices which aim to recruit the most suitable people to work and volunteer for Interplast.

Interplast recognises that those who seek to harm children (including sex predators) may specifically seek out to work with aid organisations as they give them an avenue to work within vulnerable communities.

Interplast recognises that it is not the responsibility of children to report abuse and exploitation, rather, it is Interplast's responsibility to undertake safe recruitment practices to minimise risk and provide opportunity for children to understand that they can and should 'speak up'.

For all Interplast staff, volunteers and program observers, recruitment and screening practices are as follows:

- all applicants are made aware of Interplast's Child Protection Policy and are informed of the recruitment screening requirements including through promotion of our child safe commitment in all employment and volunteer position advertisements and staff position, or material for prospective volunteers
- successful applicants for all positions will be screened through national criminal record checks and will not commence any activity dealing with children in their position until the satisfactory completion of this check. Interplast staff, Board Members, medical volunteers and other program participants (including observers) have a national criminal record check undertaken prior to commencement in their role (for staff and Board) or prior to being accepted for their first program, for volunteers and observers. Checks are conducted for each country in which the individual has lived for 12 months or longer over the last 5 years, and for the individual's countries of citizenship. Checks for all of the above personnel groups are undertaken prior to confirmation of commencement in their role, and at least every 3 years henceforth (they may be done more frequently at Interplast's discretion, or as circumstances change). More information on this can be found in the 'criminal background check' section below.
- in limited circumstances where it proves impossible to obtain a reliable criminal record check, a statutory declaration, or local legal equivalent, outlining efforts made to obtain a foreign police check, and disclosing any charges and spent convictions related to child exploitation, may be accepted instead

- interviews will be conducted for all new staff, with a preference for face-to-face interviews. Child protection behavioural-based questions will be used to ask for examples of the candidate's past behaviour and experiences and to gain an understanding of their suitability to work with children.
- a minimum of two verbal reference checks that includes questions regarding the applicant's suitability to be in contact with/work with children will be required for all staff and volunteer positions, including consultant positions. In the case of preferred candidates for staff positions, the candidate's most recent employer/supervisor must be one of these referees. Interplast will verify the identity of the referee and make direct contact with each of these referees. Written references will generally not be accepted. Interplast reserves the right to request additional references. Board and Board Committee members will have reference checks undertaken prior to being confirmed to roles that have contact with children – for example as an observer on an overseas program.
- all staff, and relevant contractors/consultants will be required to sign Interplast's Child Protection Code of Conduct, noting that they have fully read and understood it,
- sanctions for breaching the Child Protection Code of Conduct will be outlined in all employment contracts for Interplast staff including provisions for suspension or transfer to other duties of any employee who is under investigation and provisions to dismiss any employee after an investigation.
- a new Child Protection Code of Conduct must be signed by Interplast medical volunteers/observers ahead of participation on each program activity (or every 12 months if participating more than once a year) to ensure they are continuously reminded of this policy and its implications.
- all program participants must sign the Personal Information and Program Participation Agreement, which includes a section for disclosing any previous charges for a criminal offence
- Interplast reserves the right to refuse employment or terminate any person's engagement that may pose an unacceptable risk to children based on criminal history or perceived/actual risk.

8.3 Training and Development

All staff, volunteers and others covered under this policy will receive information relating to Interplast's Child Protection Policy during the induction process. Further training will be tailored to individual requirements. Staff will receive annual refresher training in child protection and safeguarding. Volunteers and other program participants will undertake specific training relating to their roles and responsibilities relating to the delivery of Interplast programs.

8.4. Criminal Background Checks

Interplast follows the guidelines of DFAT in relation to undertaking criminal history checks for all personnel, as outlined in the *DFAT Child Protection Guidance Note: Criminal Record Checks*⁴

When is a check required by Interplast?

- On commencement of employment (or Board membership) or prior to a program activity, a valid National Criminal History Check is a basic requirement for all Interplast staff, Board members, medical volunteers and observers. All National Criminal History Checks are done through CrimCheck, which is able to undertake checks for New Zealand and many other foreign countries, as well as for Australian personnel. CrimCheck undertake background checks including spent convictions and identify if there are any pending court cases against the individuals.

⁴ <https://dfat.gov.au/international-relations/themes/childprotection/Documents/Recruitment%20and%20Screening.pdf>

- Check certificates will be kept on file for 12 months but are considered valid for a period of three years (more frequent than the DFAT-recommended 5 years).
- The CEO has the authority to request new police check within the three-year period at any time as deemed necessary.

What types of check are and are not accepted by Interplast?

- In line with DFAT recommendations, Interplast utilises a National Criminal History Check as these are applicable for overseas employment. In the instance where an individual has been resident in a country where a Criminal History Check is not easily obtainable, an *Australian Statutory Declaration* may be accepted. However, this is only to be used as a last resort.
- Interplast does not accept Working With Children Checks (WWCC) instead of National Criminal History Checks, as the WWCC is only designed for use within the state in which they were granted, are not transferrable across states or internationally, and are not available for all categories of work.

How is information relating to checks stored?

- Individuals are required to give their consent to the criminal history check and must be informed of the purpose for which the resulting criminal history check outcomes will be used, including being sighted by Interplast. All information relating to criminal record checks is handled in the utmost confidence, with access to information limited.
- Should a police check reveal criminal issues that relate to children or raise concerns about the candidate's suitability for the role, Interplast has the right to either refuse employment or a volunteer/observer placement on that basis.

8.5 Program Planning and Implementation

The relevant Interplast Program Activities Coordinator undertakes a child protection risk context analysis on an annual basis for each of Interplast's program countries, as part of the annual country program planning process, to establish the broad risk context. A specific program-based Child Protection Risk Assessment (available in the *Internal Toolkit*) will also be undertaken for individual activities during the initial planning stage of each activity. Mitigation strategies are put in place for risks identified and these (and any emerging risks) must be actively monitored throughout the program.

For each individual program activity, the Program Activity Coordinator must also ensure that:

- All program activity participants (volunteers and observers) must have a current National
 - Criminal History Check (see section 6.6) and have read and understood the Child Protection Policy, undertaken appropriate briefing and training related to their role, and signed the Code of Conduct prior to departing on an overseas program
- All new volunteers involved in an activity must supply two referees for a verbal reference check, including specific questions related to child protection.
- If any issue relating to a child protection offence, or another criminal conviction which may have an impact on child safety, is raised through the documentation, criminal record check or referee check process, the staff member undertaking this screening is responsible for raising this concern to the CEO for further action (which may include further referee checks, and may result in a decision to not engage that personnel).
- Those participants who have been on more than 1 program per year must review the policy and re-commit to the Code of Conduct once every 12 months.
- All program participants must sign the Personal Information and Program Participation Agreement, which includes a section for disclosing any previous charges for a criminal offence.

- All program participants are provided with information specific to the location to which they are travelling, relating to local child protection laws, reporting processes and contacts, through country-specific fact sheets.
- All program participants have completed the child protection training module prior to undertaking their first program, and a refresher training module, at least annually, for all subsequent programs
- All program participants are briefed on how to raise a concern or report, through the pre-departure briefing
- All program/visit debriefs include an opportunity to ask questions or raise concerns regarding child protection

8.6 Local Child Protection Policy Requirements

For each country where Interplast works, Interplast has developed a 'fact sheet' which summarises key location-specific child protection information which includes (where possible):

- local child protection legislation,
- Information regarding legal age of consent for sexual activity, health treatment and marriage
- Information regarding the cultural context as it relates to child protection and safeguarding
- A contact point within Interplast's primary local partner at that location, who can assist in navigating local authorities and reporting requirements, should this be required
- a list of local organisations working in child protection or child welfare,
- local child helplines or contact numbers,
- a list of police contacts, and
- Australian consulate or embassy details.

8.7 Child Protection Reporting and Response Process

Interplast personnel and local partners must report any witnessed, suspected or alleged incidents of child abuse or any breach of the Child Protection Policy or Child Protection Code of Conduct.

The first concern should always be for the best interests of the child.

What should be reported?

- Any disclosure or allegation from a child/community member, personnel or partner staff regarding the safety/abuse/exploitation of a child or a breach of the Child Protection Policy or Code of Conduct,
- Any observation of concerning behaviour exhibited by an Interplast personnel or partners staff or other relevant stakeholder that breaches the Child Protection Policy and Code of Conduct,
- Inappropriate use of the organisation's photographic equipment or computers including evidence of child pornography, and
- Personnel or local partner staff engaging in suspicious behaviour that could be associated with sexual exploitation or trafficking.

When to report

Child abuse/exploitation concerns should be raised immediately.

How should it be reported?

Verbally and by completing the Interplast Child Protection Incident Form, (see Annex 6)

Who to report to?

Child abuse/exploitation reports and concerns should be made to:

- The relevant Interplast Program Activities Coordinator

OR

- The Interplast Child Protection Officer
Name: Jess Hill
Contact number: 0408 254 484

Alternatively, reports can also be made directly to:

- The Interplast CEO
Name: Prue Ingram
Contact number: 0419 316 296

Anonymous reports can be made as per the process outlined in the Interplast Whistle Blowing Policy (available on the website).

What will happen next?

The Program Activities Coordinator will notify the nominated Interplast Child Protection Officer (or the CEO if the concern is regarding the CPO).

The Child Protection Officer, in consultation with the CEO will discuss the allegations and then decide upon the next step. This may involve:

- interviewing the person/persons who made the allegations or other witnesses to gather more information with which to make a decision. (Notes of any interview must be taken and transcribed onto an incident report form),
- addressing any health and protection needs of the child,
- reporting to local police and or child protection authority,
- making a report to the Australian Federal Police,
- handling any concerns about staff internally, if it is not a criminal matter, and
- no further action needing to be taken.

Description	Response	Escalation – Who and When
1) Allegation of abuse or exploitation of a child by Interplast personnel or partner organisation staff OR	Report required	Program Coordinator immediately. OR Child Protection Officer immediately. Who will inform the Interplast CEO and Board immediately.
2) Allegation of abuse or exploitation of a child involved in Interplast or partner organisations' activities by an external actor.		
3) Disclosure of suspicion of abuse or exploitation of a child by Interplast personnel OR	Report required	Program Coordinator or Child Protection Officer immediately Who will inform the Interplast CEO immediately and Board as required.

4) Disclosure of suspicion of abuse or exploitation of a child involved in Interplast or partner organisation activities by an external actor.		
5) Witnessed or reported allegation of abuse and exploitation of a child external to an Interplast activity, not involving Interplast personnel or partner organisation staff – outside scope of policy	Report required	Report to hospital or local authorities as appropriate

The Child Protection Officer and the CEO should ensure the response procedure is followed and there is correct documentation of any allegation or concern.

Interplast will treat all concerns raised seriously and ensure all parties are treated fairly and the principles of natural justice will be a prime consideration,

All reports will be handled professionally, confidentially and expediently and each report will be investigated on a case by case basis. Responses will reflect the nature of the allegation.

All discussions and concerns will be documented through an Incident Report Form.

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.

Interplast will ensure the interests of anyone reporting child abuse/ exploitation in good faith are protected

The first step in handling a child protection report must always be to protect the best interests of the child. Every effort will be made to protect the rights and safety of the child throughout the complaints handling process.

Once an allegation is made, there should be an immediate response that protects the child from further potential abuse/exploitation or victimization. Where safe and possible, Interplast will advocate that the child remains in the place of residence or relevant program location (for example, in hospital). Exceptions may be made where the child is deemed to be at risk of victimization by peers as a result of the allegation or because the alleged abuse/exploitation has occurred in home-based care. If the child is in immediate danger Interplast will refer the matter to police and child protection services, who will be responsible for ensuring the safety of the child while the matter is under investigation.

An assessment must be made as to whether the child requires medical assistance or counselling support. The child must be referred for this support if it is required.

Counselling services will be made available to Interplast personnel involved in reporting the child’s protection incident, including the alleged perpetrator.

During an investigation it may be deemed necessary to distance the alleged perpetrator. The best interests of the child may warrant the standing down of a staff member or volunteer. Any staff member stood down in this manner continues to receive full pay. This measure recognizes that the member is entitled to a just process that does not pre-judge guilt or innocence. If any costs are incurred by a volunteer who is stood down, a reasonable reimbursement of these costs should be considered by Interplast.

If the matter is considered to be a criminal offence, Interplast will refer the matter directly to the local police and or authorities as per mandated reporting requirements of that country.

Breaches of the Interplast Child Protection Code of Conduct by Interplast personnel that are not deemed to be a criminal offence will be dealt with as a disciplinary matter

If the incident has occurred outside of the program (such as an incident witnessed by a volunteer) the matter should be referred to an external body or authority dealing with child protection matters within the country as per Child Protection Fact Sheet for the relevant country.

Reports involving any suspected or alleged instances of child abuse, exploitation, harm or child protection policy non-compliance by anyone working on a DFAT funded project will be documented in a DFAT Child Incident Notification Form and reported by Interplast to DFAT's Conduct and Ethics Unit within 5 days.

How to respond to a disclosure by a child

If a child/young person discloses that he or she has been abused/exploitation, they may be feeling scared, guilty, ashamed, angry and powerless. You, in turn, may feel a sense of outrage, disgust, sadness, anger and sometimes disbelief.

If a child discloses abuse/exploitation, whatever the outcome, the child must be taken seriously.

It is important for you to remain calm and in control and to reassure the child/young person that something will be done to keep him or her safe.

When a child or young person discloses they are being harmed, you can show your care and concern for the child/young person by:

- listening carefully,
- telling the child/young person you believe him or her,
- telling the child/young person it is not their fault and he/she is not responsible for the abuse/exploitation, and
- telling the child/young person you are pleased he/she told you.
- Try and obtain some details such as where the abuse/exploitation is taking place (school, home, work), whether it is currently occurring or did occur in the past and the name of the perpetrator if possible, but not necessary,
- It is possible that some children or young people will make a disclosure and then ask you not to tell anyone. It is important you seek guidance from the Program Activities Coordinator to discuss how the child or young person can be supported and the disclosure managed.

You will not be helping the child/young person if you:

- make promises you cannot keep, such as promising that you will not tell anyone,
- push the child/young person into giving details of the abuse/exploitation. Your role is to listen to what the child/young person wants to tell you and not to conduct an investigation (beware of asking any leading questions as this may prejudice any subsequent investigation), and
- indiscriminately discuss the circumstances of the child/young person with others not directly involved.

Confidentiality

All reports of breaches of the Interplast Child Protection Code of Conduct (suspected or actual), the names of people involved and the details will remain confidential. Reports should only be made to the Child Protection Officer, Program Activities Coordinator or the CEO. The CEO will be informed of all cases and then will inform the Board when appropriate. Details will be released on a need-to-know basis or when required by relevant Australian or international law or a notification to police or child protection authorities is made.

Sanctions

Where this policy or the Child Protection Code of Conduct has been breached by any Interplast personnel, the Interplast Board of Directors may decide to remove or suspend paid staff (on full pay) and remove or suspend volunteers or observers from any program activity while a case is being assessed or where a child's safety is at risk. During any formal investigation period they will not be permitted to undertake any Interplast activity that has contact with children. It is important to note that this action is to be taken as a matter of precaution not a judgement of guilt.

After due investigation by the relevant authorities, volunteer team members or observers who are found to have put children at risk or abused children will not be accepted for further Interplast program activities.

Where a potential team member, who is an overseas resident or citizen (such as a local medical professional in a partner country), is suspended from duty in their home country due to a child protection allegation, they will not be included in any program activity until the allegation has been investigated and cleared.

Interplast may consider the following sanctions where this policy and/or the Child Protection Code of Conduct have been breached by Interplast employees, including suspension, transfer, demotion and/or dismissal. Legal recourse may be taken if appropriate.

Disciplinary action will be taken against any personnel or partner organisation staff member found to:

- Have failed to report a child protection concern
- Have intentionally made a false and malicious allegation

8.8 Child Photo and Story Requirements

Interplast recognises our responsibility to keep children and youth safe when using their images or personal information for marketing and communication purposes. Accordingly, Interplast will, at all times, portray children in a respectful, dignified, appropriate and consensual way. Interplast has a comprehensive Case Study and Photography Policy and associated Guidelines which details its requirements relating to the depiction of children. These documents detail specific requirements and processes related to obtaining informed consent, and approval processes for use of images and stories.

These requirements on the obtaining and use of children's images align with the ACFID Code of Conduct and the DFAT Child Protection Policy. Any individual who is taking or using photos or stories of children related to an Interplast initiative will adhere to these principles.

All stories, photos and film published or disseminated by Interplast must:

- respect human dignity and ensure the rights, safety and wellbeing of the person or people being portrayed;
- be culturally and politically sensitive, and avoid social stigmatisation of individuals;
- protect the identity and privacy of individuals by identifying people by first name only;
- be used ethically, which means that they should be accurate in terms of content, captioning and attribution, and used in the correct context;

9. Monitoring and Reviewing the Child Protection Policy

Interplast's Monitoring and Evaluation Working Group will undertake formal monitoring of Interplast's compliance against this Policy at least every 12 months and provide a report on how the policy is being implemented in practice, as well as any areas of concern which need to be addressed. Interplast has a 'policy implementation' tracker for this policy, referenced in the Monitoring and Evaluation Framework and the Policy Framework, which tracks evidence of completion of policy in practice indicators. This supports assurance that all personnel meet their duty of care to 'do no harm' in the delivery of Interplast programs, through ongoing assessment of its child safeguarding measures.

Interplast's Child Protection Policy will be reviewed and updated every 12 months or more often if required by legislative or other compliance changes, including changes to DFAT's Child Protection Policy. The CEO will manage the review of the Child Protection Policy and staff will be consulted as required in this process.

The Child Protection Officer is accountable to the CEO and Board for managing and maintaining this policy. Where compliance issues surface, the Child Protection Officer will work with staff and other relevant stakeholders to address these issues promptly.



Appendix 1: Interplast Child Protection Code of Conduct

I, _____ engaged by Interplast, agree that while undertaking work with and on behalf of Interplast, I will:

(General)

- Recognize that risk to the safety of children is inherent in the delivery of Interplast programs overseas, due to the nature of programs (delivery of health services) and the vulnerability of the beneficiary population due to poverty, disability and power-inequity. As such, I will ensure to be mindful of this risk in all that I do, during the course of my involvement with the Interplast program.
- 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, where under the law(s) applicable to the child (and the child is below the age of consent or the act(s) are an offence under relevant laws,
- Wherever possible, ensure another adult is present when working in the proximity of children,
- Not invite unaccompanied children into my home, hotel or a remote or isolated area unless they are at immediate risk of injury or in physical danger,
- Not sleep close to unsupervised children,
- Use any computers, mobile phones or video and digital cameras inappropriately and never to 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 Australian and local legislation, including labour laws in relation to child labour,
- Ensure that I immediately report concerns or allegations of child abuse or exploitation in accordance with Interplast's reporting requirements.

(Filming and photographing children and use of children's images for work related purposes)

- I further agree that, while working with Interplast or engaged in Interplast activities, and when photographing or filming a child or using children's images for work-related purposes, I must:
 - before photographing or filming a child, assess and endeavour to comply with local traditions or restrictions for reproducing personal images;
 - before photographing or filming a child, obtain informed verbal consent from the child and a parent or guardian of the child;
-

Interplast Australia & New Zealand Child Protection Policy and Procedures

- 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 the 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.

By signing this declaration, I confirm and accept:

- I shall abide by all the standards and guidelines of the Interplast Child Protection Policy, and associated key documents as listed in section 7 of the Policy
- My failure to comply with the standards of the Child Protection Policy and Code of Conduct may result in disciplinary action.

Signature

Full Name (print)

Date

A range of laws are relevant to this policy, including Australian Commonwealth, state and territory laws, and local laws in countries where Interplast works. A number of international child protection instruments also apply.

1. Relevant Australian legislation

Under Commonwealth law an Australian citizen or resident can be prosecuted for an offence committed against a child in another country under laws that have an extra-territorial application.

Commonwealth legislation

<i>Criminal Code Act 1995</i>		
Legislation	Examples of offences	Maximum penalty
<i>Division 272 (child sex offences outside Australia)</i>	Engaging in sexual intercourse outside of Australia with a child under 16 years of age	20 years imprisonment
	Engaging in sexual activity outside of Australia with a child under 16 years of age	15 years imprisonment
	Engaging in sexual intercourse or sexual activity outside of Australia with a child under 16 years of age and the child has a mental impairment or is under the care, supervision or authority of the defendant	25 years imprisonment
	Engaging in sexual intercourse outside of Australia with a young person aged 16 or 17 years and the defendant is in a position of trust or authority	10 years imprisonment
	Engaging in sexual activity outside of Australia with a young person aged 16 or 17 years and the defendant is in a position of trust or authority	7 years imprisonment
	Grooming a child under 16 years of age to engage in sexual activity outside of Australia	12 years imprisonment
<i>Division 273 (offences involving child pornography material or child abuse material outside Australia)</i>	Possessing, controlling, producing, distributing or obtaining child pornography or child abuse material outside Australia	15 years imprisonment

Division 474 (telecommunications offences, subdivision C)	Accessing, soliciting or transmitting child pornography or child abuse material using a carriage service	15 years imprisonment
	Engaging in sexual activity with a child under 16 years of age using a carriage service	15 years imprisonment
	Online grooming of a child under 16 years of age	15 years imprisonment
Crimes Act 1914		
The Crimes Act 1914 sets out the laws that govern the way legal proceedings under the Criminal Code Act 1995 are conducted, including the conduct of investigations and the protection of children involved in proceedings for sexual offences (under Part 1AD).		

2. State and territory child protection legislation

State and territory laws provide legal protection to children and families that are affected by child exploitation and abuse that occurs in Australia.

State or territory	Legislation	Source
New South Wales	Child Protection (Working with Children) Act 2012	www.legislation.nsw.gov.au
Victoria	Working With Children Act 2005 Children, Youth and Families Act 2005	www.legislation.vic.gov.au
Queensland	Commission for Children and Young People and Child Guardian Act 2000	www.legislation.qld.gov.au/OQPCHome.htm
Western Australia	Working with Children (Criminal Record Checking) Act 2004 Children and Community Services Act 2004	www.slp.wa.gov.au/legislation/statutes.nsf/default.html
South Australia	Children's Protection Act 1993	www.legislation.sa.gov.au
Tasmania	Education and Care Services National Regulations 2011, Education and Care	www.thelaw.tas.gov.au

State or territory	Legislation	Source
Australian Capital Territory	Services National Law (Tas) [See s 4 of Education and Care Services National Law (Application) Act 2011 (Tas)]	www.legislation.act.gov.au
	Working with Vulnerable People (Background Checking) Act 2011 Children and Young Persons Act 2008	
Northern Territory	Care and Protection of Children Act 2007	www.nt.gov.au/dcm/legislation/current.html

3. Partner Country Legislation

Most countries in which Interplast works has legislation relating to child exploitation and abuse. When working in-country, Interplast personnel are required to abide by local legislation.

4. International child protection instruments that Australia is a signatory to:

Instrument	Source
The United Nations Convention on the Rights of the Child 1989 (CROC)	www.unicef.org/crc
Optional Protocol to the United Nations Convention on the Rights of the Child on the sale of children, child prostitution and child pornography	www.unhcr.org/refworld/docid/50b353232.html
Optional Protocol to the United Nations Convention on the Rights of the Child on the involvement of children in armed conflict	www.unhcr.org/refworld/docid/47fdfb180.html
Geneva Declaration of the Rights of the Child	www.un-documents.net/gdrc1924.htm
International Labour Organization Convention 182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour	www.ilo.org/ilolex/english/convdisp1.htm

In addition to the legislative frameworks, Interplast is a signatory to ACFID's Code of Conduct. Interplast therefore commits to meeting the child protection standards outlined the ACFID Code of Conduct. As a DFAT accredited NGO, it is important to note that Interplast not only complies with DFAT's Child Protection Policy but also exceeds their minimum child protection standards.



Appendix 3: Relevant tools and templates

Document	Internal or External Audience?	Location of Document
Child Protection Incident Report Form	Internal and External	Child Protection Safeguarding Toolkit (Internal) Child Protection Safeguarding Toolkit (External) <ul style="list-style-type: none"> Made available to program participants through program activity team manual (hard copy) and provided electronically pre-departure.
Record of Verbal Referees Check Template	Internal	Child Protection Safeguarding Toolkit (Internal)
Child Protection Risk Assessment Form	Internal	Child Protection Safeguarding Toolkit (Internal)
Country/Location Specific Child Protection Information & Reporting Process templates	Internal and External	Child Protection Safeguarding Toolkit (Internal) Child Protection Safeguarding Toolkit (External) <ul style="list-style-type: none"> Made available to program participants through program activity team manual (hard copy) and provided electronically pre-departure.



Appendix 4: Additional definitions

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 sexualise that relationship (for example by encouraging romantic feelings, or exposing the child to sexual concepts through pornography)
Child Abuse	Material that depicts (expressly or implicitly) a child under 18 years of age as a victim of torture, material cruelty or physical abuse.
Online grooming	The act of sending an electronic message to a recipient who the sender believes to be under 16 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, or of sending an electronic message with indecent content to a recipient who the sender believes to be under 16 years of age. For further details, refer to the Criminal Code Act 1995, Division 474
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
Impact	The overall long-term effect produced by an investment. This includes positive and negative changes produced by an investment (directly or indirectly, intended or unintended)
Child-Sex Tourism	The 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. For further details, refer to the <i>Crimes Legislation Amendment (Sexual Offences Against Children) Act 2010</i> .
Child exploitation material	Material, irrespective of its form, which is classified as child abuse material or child pornography material
Child pornography	In accordance with the Optional Protocol to the Convention on the Rights of the Child, ‘child pornography’ means ‘any representation, by whatever means, of a child engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a child for primarily sexual purposes.’ For further information about child pornography offences, refer to the <i>Criminal Code Act 1995</i> .
Child pornography material	Material that depicts a person, or is a representation of a person, who is, or appears to be, under 18 years of age and is engaged in, or appears to be engaged in, a sexual pose or sexual activity, or is in the presence of a person who is engaged in, or appears to be engaged in, a sexual pose or activity, and does this in a way that a reasonable person would regard as being, in all the circumstances, offensive ⁵

⁵ This definition has been extracted from the *Criminal Code Act 1995*. See Part 10.6 of the criminal code for the full definition.

Child abuse
material

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



Appendix 5: DFAT 9 Minimum Child Protection Standards

Requirement	Minimum Standard
<p>Having a Child Protection Policy and Reporting Procedure in Place</p>	<p>(1) Partners – the organisation has a child protection policy that applies to all personnel, partners’ downstream personnel and subcontractors that are engaged by the organisation to perform any part of a DFAT funded activity. The managing partner must ensure that downstream organisation or individual subcontractor complies with the relevant minimum child protection standards.</p> <p>An individual contractor is not required to have a child protection policy. However, they will be required to sign a code of conduct that applies and builds on where appropriate DFAT’s Child Protection Professional Behaviours and provide evidence of their commitment to child protection.</p> <p>(2) The organisation’s child protection policy includes a documented reporting procedure for child exploitation and abuse allegations, code of conduct and policy non-compliance, including available sanctions for breaches.</p> <p>(3) The organisation provides child protection training for personnel, including downstream partners.</p> <p>(4) The organisation’s child protection policy includes a commitment to preventing a person from working with children if they pose an unacceptable risk to children.</p> <p>(5) The organisation’s child protection policy is subject to regular review, at least every five years or earlier if needed.</p>
<p>Undertaking assessment and management of risk</p>	<p>(6) The organisation undertakes a risk assessment to reduce the risk of any child being harmed as a result of operations or activities funded by DFAT. The assessment must identify risks, and document steps being taken to reduce or remove these risks.</p> <p>(7) The organisation’s employment contracts contain provisions for suspension or transfer to other duties of any employee who is under investigation and provisions to dismiss any employee after an investigation.</p>
<p>Recruitment and screening, and employment practices in place</p>	<p>(8) Contact with children positions The organisation has robust recruitment screening processes for all personnel in contact with children. These recruitment procedures include:</p> <ul style="list-style-type: none"> • criminal record checks before engagement • verbal referee checks <p>Working with children positions Additional screening measures (such as interview plans that incorporate behavioural-based interview questions) must be used when candidates are applying for positions that involve working with children.</p> <p>(9) The organisation has a child protection code of conduct that meets and – builds on (where appropriate) – the minimum standard set by DFAT (see Attachment B – DFAT’s Child Protection – Professional Behaviours).</p>



InterplastTM
Repairing bodies & rebuilding lives
in the Asia Pacific region

Appendix 6: Child Protection Incident Form

Name of complainant:	
Address/contact details:	
Age:	
Sex:	
Name of alleged victim (if different from complainant):	
Address/contact details:	
Age:	
Sex:	
Name(s) and address of parents, if applicable:	
Has the alleged victim given consent to the completion of this form?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Date of incident(s):	
Time of incident(s):	
Location of incident(s):	
Physical & emotional state of victim (describe any cuts, bruises, lacerations, behaviour and mood):	
Witnesses' names and contact information:	

<p>Brief description of incident(s) (attach extra pages if necessary):</p>	
<p>Name of accused person(s):</p>	
<p>Job title of accused person(s):</p>	
<p>Organisation accused person(s) works for:</p>	
<p>Address of accused person(s) (if known):</p>	
<p>Age:</p>	
<p>Sex:</p>	
<p>Is the victim still in danger of abuse, exploitation or neglect?</p>	
<p>Are local police or other local authority aware of the incident\allegation?</p> <p>What other authorities have been informed?</p> <p>Has the Australian Federal Police (AFP) at post (where relevant) been advised or consulted?</p>	
<p>If yes to any of the above, details exactly what happened?</p>	
<p>If no, does the alleged victim want police assistance, and if not, why?</p>	
<p>Has the alleged victim been informed about available medical treatment?</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p>
<p>If yes, has the alleged victim sought medical treatment for the incident?</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p>
<p>If yes, who provided treatment?</p>	

<p>What immediate security measures have been undertaken for victim?</p>	
<p>Who is responsible for ensuring safety plan (name, title, organisation):</p>	
<p>Any other pertinent information provided in interview (including contact made with other organisations, if any):</p>	
<p>Details of referrals and advice on health, psychosocial, legal needs of victim made by person completing report:</p>	
<p>Report completed by: (name, position, organisation, date, time, location)</p>	
<p>Has the complainant been informed about the organisation's procedures for dealing with complaints?</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p>
<p>Complainant's consent for data to be shared with other entities (check any that apply):</p>	<p>Police <input type="checkbox"/> Other (specify) <input type="checkbox"/> _____</p>
<p>Date report forwarded to relevant management structure:</p>	