

CHILD SAFEGUARDING POLICY

Policy Number:	17	Version:	5
Updated by:	Policy Writer: Megan Giles/ Margery Jackman and Paul Taylor	Approved by Board on:	31 August 2022
Reason of Review:	Review to include ACFID CSA and ACSL Regulations and Requirements	Review date:	August 2023

INTRODUCTION

Mercy Works Limited (MWL) promotes social justice through local and overseas relief and development activities that are part of the mission and vision of the Sisters of Mercy in Australia and Papua New Guinea.

The programs engage in partnership with communities to promote justice, self-reliance and to support peoples and communities who are displaced or denied access to basic resources such as education, health care and social welfare.

MWL recognises that by the nature of our work, our operations may pose a risk to children; therefore, we have developed this Child Safeguarding Policy (CSP) to proactively work to mitigate those risks.

STATEMENT OF COMMITMENT TO CHILD SAFEGUARDING

MWL has a zero-tolerance approach to child abuse and is committed to taking all necessary steps to ensure that all children and young people with whom we work (both here in Australia and overseas in our development programs) are provided a child-safe environment at all times. MWL commits to putting the safety of children at the centre of mission.¹

CONTENT

This document contains the Mercy Works Limited (MWL) Child Safeguarding Policy.

1. SCOPE

This Policy provides guidance to MWL Board Directors, committee members, employees contractors, volunteers, (defined as Workers) in relation to their work with/for MWL.

To meet the regulatory requirements, MWL has reasonable processes in place to ensure the procedures and tools for seeking informed consent meet ethical guidelines. These are made available in the local languages of PNG (Tok Pisin) and Timor Leste (Tetum).

This policy incorporates the standards set out in the Victorian 11 Child Safe Standards that took effect from July 2022, with a particular focus on

- involving families and communities in organisations' efforts to keep children and young people safe
- a greater focus on safety for Aboriginal children and young people
- managing the risk of child abuse in online environments.²

¹ Australian Catholic Safeguarding Ltd (ACSL) - 'Our Common Mission' – Media Release 4 August 2022 (<https://www.cathnews.com/media-releases/3390-220804-acsl-new-draft-code-of-safety-for-the-catholic-church/file>)

² <https://ccyp.vic.gov.au/child-safe-standards/>

MWL has delineated a Child Safeguarding Code of Conduct Declaration (Appendix A) to provide clear behavioural expectations and to direct staff at all levels to maintain a safe environment, which prevents exploitation and abuse of a child.

MWL unconditionally commits to the following:

- The safety and wellbeing of all children from harm and abuse
- At all times to portray children in a respectful, appropriate and consensual way
- To act without hesitation to ensure child-safe physical and on-line environments are maintained.
- The safeguarding of children from harm, abuse and exploitation
- The establishment a culturally safe environment in which the diverse and unique identities and experiences of children and young people are respected and valued (particularly Aboriginal children and young people)
- Upholding the rights of children under the United Nations Convention on the Rights of the Child (UNCRC)
- To encourage and actively support a child's ability to express their culture and enjoy their cultural rights
- To provide the safest possible programs and environments for children by identifying and managing risks that may lead them to harm in both on-line and physical environments
- On-going staff training in relation to child safeguarding in both on-line and physical environments
- To educate staff about child harm and abuse and promote a child-safe and a child-friendly culture where everyone is committed to keeping children safe, focussing particularly
 - on the connection between cultural safety and the prevention of child abuse and harm for all children and
 - with providing staff and volunteers with information about online safety and risks in the online environment
- To create an open and aware environment where concerns for the safety and wellbeing of a child can be raised and managed in a fair and just manner, which protects the rights of all.
- To have policies and procedures in place which promote the safety and well-being of all children accessing its services and programs, in particular, to minimise the risk of abuse to children in physical and on-line settings
- To adhere to local and international child safeguarding criminal laws, which prohibit the abuse and exploitation of children, which include local laws where MWL 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, child pornography and online grooming, cyber bullying and sexting
- The screening of all photographers for their suitability with police checks completed where appropriate
- To address any instances of racism, particularly towards children, with appropriate consequences
- To creating an inclusive and welcoming physical and online environment for all children and their families by acknowledging and respecting all people, communities, cultures and values
- To taking steps to empower children in the organisation and providing them and their families with opportunities to participate in a way that is culturally safe
- Providing members of the MWL community with information on cultural rights, the strengths of Aboriginal cultures and the importance of culture to the wellbeing and safety of Aboriginal children and opportunities to learn and express appreciation of Aboriginal cultures and histories.

2. PURPOSE

MWL is obliged to adhere to national, local and international child safeguarding criminal laws, which prohibit the abuse and exploitation of children. These include local laws where MWL'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.

The purpose of this Policy is also to ensure observance with the Australian Council for International Development (ACFID) Code of Conduct Principles, in particular:

Quality Principle 1. Rights, Protection & Inclusion

Commitment 1.5 We advance the safeguarding of those who are vulnerable to sexual exploitation and abuse.

3. PRINCIPLES

- MWL believes that all children have the right to be safe at all times. We will proactively work to provide safe and protective programs, activities and environments in both physical and on-line settings.
- MWL 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.
- The fundamental principle of the (UNCRC) is that children have their own indivisible rights.
- MWL recognises its duty of care to take all reasonable steps to ensure that children are safe from harm.
- MWL will take proactive steps to create child-safe and child-friendly programs.
- MWL will ensure that all its staff and stakeholders are trained on the Policy and their responsibilities under the Policy.
- All decisions regarding the welfare and safeguarding of children are based on the Best Interests of the Child Principle.
- All of MWL's policies, procedures, systems and processes together create a culturally safe and inclusive environment and meet the needs of all children, young people and their families, actively supporting and facilitating participation and inclusion (particularly for Aboriginal children, young people and their families).
- MWL will adopt measures to ensure racism within the organisation is identified, confronted and not tolerated.
- MWL will provide children with information about cultural rights and take active steps to encourage all children to express their culture (particularly Aboriginal children).
- MWL will develop, implement and embed into the organisation strategies that acknowledge and appreciate the strengths of the cultures in the nations where MWL operates (particularly Aboriginal culture)

4. CONTEXT

Some children are more vulnerable to abuse and exploitation than others. Children living in extreme poverty, children with disabilities, children from minority groups, children living in residential care, children living in emergency or conflict situations, children who are displaced or marginalised and others are often at higher risk of abuse than others. MWL recognises the importance of acknowledging Aboriginal, Torres Strait Islander people, and culturally and linguistically diverse children and adults – at risk in all locations.

5. DEFINITIONS

Bullying is the inappropriate use of power by an individual or group, which poses a risk to someone's health and safety (physical or emotional). It is usually deliberate and repetitive. The bullying may be physical or psychological (verbal and non-verbal). a) Physically, bullying includes pushing, hitting, punching, kicking or any other action causing hurt or injury b) Verbal bullying includes insults, taunts, threats and ridicules c) Psychological bullying includes physical intimidation and ostracism

Child Abuse refers to abuse that may happen to male and female children of all ages, ethnicity and social backgrounds, abilities, sexual orientation (including non binary and transgender boys and girls-those with a gender identity that is different from the sex they were assigned as birth³), religious beliefs and political persuasion. Child abuse includes physical, sexual, emotional, neglect, bullying, child labour and family violence. Abuse can be inflicted on a child by both men and women, as well as by young people themselves and in some cases professionals and other adults working with children in a position of trust also abuse children.

³ United Nations Free and Equal-Transgender- unfe.org/wp-content/2017/05/UNFE-Transgender.pdf – accessed 26 June 2022.

Child-Sex Tourism MWL adopts the End Child Prostitution Child Pornography and Trafficking of Children for Sexual Purposes (ECPAT International) (2006) definition of 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.’

Child refers to any person under the age of eighteen (18) years as defined by the Convention on the Rights of the Child irrespective of local country definitions of when a child reaches adulthood and includes non-binary and transgender boys and girls- those with a gender identity that is different from the sex they were assigned as birth⁴).

Child Safeguarding is the term used to describe the responsibilities and activities undertaken to prevent or stop children from being abused or maltreated. It refers to actions, policies and procedures that create and maintain protective environments for children.

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.

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

Emotional Abuse 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.

Exploitation refers to the use of the child in work or other activities for the benefit of others that are to the detriment of the child’s physical and mental health, education, or moral and social-emotional development. It includes, but is not limited to, child labour, child trafficking and child sexual exploitation.

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.

Physical Abuse 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.

Sexual Abuse 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 sexualised language, voyeurism, fondling genitals or breasts, masturbation, oral sex, vaginal or anal penetration by a penis, finger or any other object and exposing a child to, or involving a child in pornography.

Workers refers to all Board Directors, committee members, employees, contractors and volunteers.

6. RISK MANAGEMENT

The safety of children in the care of MWL is a priority. MWL recognises that there are a number of potential risks to children in the delivery of our programs. In recognising these risks, MWL proactively assesses and manages risks to children in order to reduce the risk of harm in both on-line and physical environments. This is achieved by examining each activity and program and its potential impact on

⁴ United Nations Free and Equal-Transgender- [unfe.org/wp-content/2017/05/UNFE-Transgender.pdf](https://www.unfe.org/wp-content/2017/05/UNFE-Transgender.pdf) – accessed 26 June 2022.

children. Activities and programs that involve direct work with children are considered a higher risk and therefore require more stringent child safeguarding procedures.

MWL has a committed approach to risk management to ensure all identified risks are effectively mitigated. Risk assessment and management plans are informed by and responsive to the views and concerns of staff, volunteers and children. Plans show that MWL has balanced the need to manage the risk of harm and abuse against children's rights to privacy, access to information, social connections and learning opportunities.

The following specific risks are considered:

- Misuse of images of Children on electronic devices.
- Parental consent for use of Children's images not requested.
- Concerns or allegations of Child abuse / Exploitation /Harm not reported and followed up.
- Allegations or suspicions of abuse are not reported, recorded and acted upon.
- Child Safeguarding Policy not communicated to staff (incl. Volunteers) and all Stakeholders.
- Monitoring of Child Safeguarding Policy Obligations not completed.
- Unclear definition of Prohibited and Abusive behaviour regarding sexual abuse.
- Inadequate Child Safeguarding Risk Assessments completed.
- Child Safeguarding Risk Assessments not completed for each program.
- Child Safeguarding Risk Assessments not completed prior to working with Partners.
- Photo ID Tags not visible or worn by personnel working with Children.

MWL's child safeguarding procedure is included in its risk control review and is in accordance with the ACFID Code of Conduct.

7. OVERVIEW OF COMMUNICATION AND USE OF CHILDREN'S IMAGES GUIDELINES

MWL will at all times portray children in a respectful, appropriate and consensual way:

- Obtaining informed and documented consent of the child and her/his parents or guardians before photographing/filming.
- Providing an explanation on how the photograph/film will be used.
- Ensuring 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.
- Ensuring that file labels, metadata or text descriptions do not reveal identifying information about a child, including faces of vulnerable children when sending images electronically or publishing images in any form.
- Taking care to ensure the local traditions or restrictions for reproducing personal images are adhered to before photographing or filming a child.
- Ensuring that all images and information about children are stored safely and only accessed by authorised personnel.

8. PERSONNEL RECRUITMENT AND SELECTION

MWL is committed to child safe recruitment, selection and screening practices. MWL will not knowingly engage directly or indirectly anyone who poses a risk to children. These practices aim to recruit the safest and most suitable people to work in our programs. Our child safe practices include:

- Promoting our child safe commitment on our website, in other promotional materials and in all job advertisements.
- All applicants will receive a copy of MWL's CSP and be informed of the screening requirements when they are sent the application form.
- All positions will be assessed for the level of risk in relation to contact with children. Contact with children is defined as "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". Working with children is defined as being engaged in an activity with a child where the contact would reasonably be expected as a normal part of the activity, and the contact is not incidental to the activity. Working includes volunteering or other unpaid works. Positions which involve working with children will require the highest level of screening and the applicant must possess relevant qualifications and experience in working with children. Working with children may take place in a physical or on-line environment.

- Screening for positions involving contact with children will include:
 - Criminal record checks before engagement; statutory declarations or local legal equivalent where criminal record checks are unavailable.
 - At least two referee checks made in person, to include safeguarding questions appropriate to the level of contact with children.
- In addition, personnel working directly with children will require
 - a Working with Children Check (or equivalent depending on the jurisdiction).
 - Behavioural-based safeguarding interview questions.
 - All MWL personnel, staff, volunteers, partners and project visitors will be required to read and acknowledge MWL's CSP and read and sign MWL's Child Safeguarding Code of Conduct Declaration.
- MWL reserves the right to refuse employment or terminate any person's employment that may pose a risk to children. Employment contracts will contain provisions for the prevention of a person working with children if they present an unacceptable risk to children. This may include suspension or transfer to other duties for any employee who is under investigation and provisions to dismiss any employee after an investigation or who breaches the MWL's Child Safeguarding Code of Conduct Declaration.

9. EDUCATING THE ORGANISATION ON CHILD ABUSE AND THE CHILD SAFEGUARDING POLICY

MWL is committed to educating personnel and associates in child safeguarding and abuse, in the CSP, in how to reduce risks and create child safe physical and on-line environments. We will promote child safe practices which keep children safe in the organisation and in their own community and provide information about child safeguarding to the children and communities in which we work. This information will include reporting child abuse if they have concerns about an MWL member of staff or another representative in the organisation.

Particularly, MWL is committed to embedding strategies which equip all members to acknowledge and appreciate the strengths of Aboriginal culture and understand its importance to the wellbeing and safety of Aboriginal children and young people.

10. WORKING WITH PARTNERS

MWL ensures that any implementing partner is a child-safe organisation by including partners in the scope of MWL's Child Safeguarding Policy and procedures. MWL's Child Safeguarding Policy and Child Safeguarding Code of Conduct Declaration will be included in all partnership agreements and contracts.

11. PROGRAMS THAT FACILITATE DIRECT CONTACT WITH CHILDREN

MWL recognises the need to implement specific guidelines to manage the child safeguarding risks within its sponsorship/volunteer visit/donor visit programs. These guidelines include ensuring that:

- Letters which contain political or religious comments which could cause offence or be inappropriate are not permitted.
- All sponsors/volunteers/donors will receive a child safeguarding briefing that includes clear child safeguarding and behavioural guidelines.
- All visits should be arranged in advance through our office and sponsors/volunteers/donors interviewed.
- Sponsors/volunteers/donors arrange their visit via MWL in Australia, giving at least three months' notice.
- Police checks are required for visiting sponsors/volunteers/donors and any accompanying family members.
- Volunteers participating in MWL Programs will be required to supply references.
- Volunteers participating in MWL Programs will be required to participate in child safeguarding training prior to their visit.
- All sponsors/visitors are expected to read and abide by the Child Safeguarding Policy and read, abide and sign the Child Safeguarding Code of Conduct Declaration.
- Partner agency staff will be present at all times during the visit/program.
- Children should not be invited to leave or to be taken away from their communities.
- Invitations to visit the sponsor's/volunteer's/donor's country are not permitted.
- All gifts and correspondence will be screened by the Partner agency.

- The exchange of mailing addresses and contact details (including online forums) is not permitted at any time.
- After every visit, a report will be sent to the head office.
- All visits will be monitored.
- Visitors will not be permitted to stay with a child in their home/centre or community overnight.
- Where sponsors/visitors/donors go against policies, the organisation can bring sponsorship/relationship with MWL to a close.
- Return visits to the child/community/centre without the facilitation of MWL will be considered a breach of the CSP and Child Safeguarding Code of Conduct Declaration and follow up action will be taken by MWL, including reporting to authorities if deemed necessary.

12. WORKING IN EMERGENCY CONTEXTS

MWL is committed to ensuring the safeguarding of children when we respond to a humanitarian emergency. We have specific safeguarding standards in place that are implemented in all our emergency responses.

13. RESPONDING TO AND REPORTING CHILD SAFEGUARDING CONCERNS

MWL 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. MWL is committed to a reporting process which is truthful, fair and professional.

It is mandatory for all MWL personnel and associates to report any witnessed, suspected or alleged incidents of child exploitation or abuse or any breach of the CSP and Child Safeguarding Code of Conduct Declaration. 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. If you do have a concern, you should immediately follow MWL's child abuse reporting procedures. The complainant may be a child victim and/or an adult bringing forward a complaint of abuse suffered as a child.

Where a disclosure, allegation or suspicion of child abuse or harm is made, the priority in responding is always the safety and wellbeing of the child. To ensure this, on receipt of a complaint, the MWL Executive Director conducts an immediate assessment to identify and minimise any risk to children or vulnerable adults. If the child is in imminent danger, the matter must be reported to the police.

Where a complaint is plausible, and there is a risk that the alleged perpetrator might come into contact with children or vulnerable adults, that person is stood down from their role or ministry while the complaint is investigated. The safety of children in the care of MWL is a priority and once a complaint has been received it is the responsibility of the MWL Executive Director to ensure the child's safety until the matter has been fully investigated.

Who should report?	All MWL workers and associates including people in the community and partner organisations.
What should be reported?	Any disclosure, concern or allegation from a child, community member, staff or associate regarding the safety, abuse or exploitation of a child (this includes actual, suspected or risk of abuse or harm to a child) Any observation or concerning behaviour exhibited by an MWL staff, volunteer or other associate that breaches the MWL Child Safeguarding Code of Conduct Declaration.

Confidentiality

Confidentiality is a key principle of reporting and managing child safeguarding concerns. All information regarding a child safeguarding concern must only be shared with the Executive Director and

In-Country Coordinator. The names of people involved and the details of the report will remain confidential. Information will only be released on a “need to know” basis or when required by Australian or overseas law or when a report to police or child safeguarding authorities is made.

When to report?

Child abuse concerns should be raised immediately. The complainant may be a child victim and/or an adult bringing forward a complaint of abuse suffered as a child.

Who to report to?

Overseas: Child abuse reports should be made to the In-Country Coordinator. If this is not possible reports can be made directly to the Australian based Executive Director Sally Bradley RSM, (sally.bradley@mercyworks.org.au), or to the Board Chair, Joe Zabar, (jfzabar1@gmail.com).

In Australia: Child abuse reports should be made to the Australian based Executive Director Sally Bradley RSM, (sally.bradley@mercyworks.org.au), or to the Board Chair, Joe Zabar, (jfzabar1@gmail.com). If the child is in imminent danger, the matter must be reported to the police.

How should it be reported?

Child abuse reports may be reported

- Verbally, in person, via phone or the internet.
- by completing the MWL child abuse incident reporting sheet found on the Mercy Works website.
- in writing and submitted
 - by post:
Executive Director
Sally Bradley RSM
Mercy Works Limited
PO Box 2023
North Parramatta NSW 1750
Australia
 - by email to :
Executive Director
Sally Bradley RSM
sally.bradley@mercyworks.org.au
 - by email to :
Board Chair
Joe Zabar
jfzabar@gmail.com
 - by placement in the Mercy Works’ suggestion box located at all sites where Mercy Works has a presence.

What will happen next?

The Executive Director and/or In-Country Coordinator will discuss the allegations and then decide upon the next step. This will involve one or more of the following:

- Interviewing the person/persons who made the allegations and/or other witnesses to gather more information with which to make a decision about the allegation;
- Reporting to local police and or child safeguarding authority when it is suspected or becomes clear that a crime has been committed;
- Reporting to the Australian Federal Police when it is suspected or becomes clear that a crime has been committed regarding child sex tourism, child sex trafficking and child pornography;
- Reporting to local child safeguarding services as necessary;
- Handling the concern internally if it is not a criminal matter.
- No further action taken.
- Providing support to all stakeholders (including reporter) as necessary.

Disciplinary action

Disciplinary action will be taken against any personnel or associate found to:

- Have failed to report a child safeguarding concern.
- Have intentionally made a false allegation.
- Have made a serious breach of the CSP and/or MWL Child Safeguarding Code of Conduct Declaration (minor breaches may result in action such as refresher training or increased supervision).

Disciplinary action may include the following sanctions:

- MWL personnel – dismissal.
- MWL associates – up to and including termination of all relations including contractual and partnership agreements with MWL.
- Where relevant – reporting to authorities.

Responding to disclosure by a child

The Code requires ACFID members to have a child-friendly complaint handling process. The complainant may be a child victim and/or an adult bringing forward a complaint of abuse suffered as a child.

When a child/young person tells you that he or she has been abused, 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, 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.
- Telling the child/young person you are pleased he/she told you.

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. 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).
- Indiscriminately discuss the circumstances of the child/young person with others not directly involved.

General statements

MWL will treat all concerns raised seriously and ensure that all parties will be treated fairly, and the principles of natural justice will be a prime consideration. All reports will be handled professionally, confidentially and expediently.

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. MWL will ensure that the interests of anyone reporting child abuse in good faith are protected. The complainant may be a child victim and/or an adult bringing forward a complaint of abuse suffered as a child.

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 the investigation.

Children and community members with whom MWL works will be provided with information about how to report any child safeguarding concerns about MWL staff members and associates.

14. INVOLVING CHILDREN AND YOUNG PEOPLE

MWL recognises the unique insight, experiences and contribution of children and young people and works with them to help identify any potential child safeguarding risks in all programs that include or affect children and young people. These risks are included in the risk management strategy and monitored throughout the program cycle. In regard to any **Safeguarding complaints, concerns or disclosures**, the records are required to be maintained 50 years as per NCSS 1.6.2.

15. POLICY REVIEW

MWL's Child Safeguarding Policy will be reviewed every year. Any change made to the Policy will be signed off by the Board.

16. CONFLICT OF INTEREST

MWL commits to a very high standard of ethical conduct. In the event of an actual, potential or perceived conflict of interest arising, between the interests of MWL or its subsidiaries and an employee, contractor, volunteer, partner, director, vendor or supplier, which could inappropriately influence or give rise to a concern based on fact, the Executive Director is immediately advised and MWL's Conflict of Interest Policy is invoked and strictly followed.

17. RELATED DOCUMENTS

- Lukautim Pikinini Act 2015
- Department of Foreign Affairs and Trade Child Safeguarding, Australia, 2017
- PNG National Policy on Disability, 2015
- The 11 Child Safe Standards – The Commission for Children and Young People, 2022
- Vatican Right Relations stand on Child Safeguarding
- Human Rights Policy
- Inclusive Development Policy
- Partnership Policy
- Conflict of Interest Policy
- Code of Conduct Policy
- Privacy Policy
- Management of Concerns, Complaints and Commendations Policy
- One to One Interactions with Children Policy
- Prevention of Sexual Exploitation and Abuse Policy
- Whistling Blowing Policy
- Ethical Decision Making Framework Policy
- Risk Management Framework

18. AFFILIATIONS

ACNC

MWL is registered as a charity with the Australian Charities & Not-for-profit Commission (ACNC) and complies with its ongoing obligations, including reporting to the ACNC annually.

ACFID

MWL is a member of the Australian Council for International Development (ACFID) and a signatory to the ACFID Code of Conduct, which commits international aid and development organisations to good standards of governance, transparency, accountability and effectiveness.


19. REVISION/ MODIFICATION HISTORY

Date	Version	Current Title	Summary of Changes	Approval Date	Commencement Date
23 October 2019	2.5	Child Protection Policy	New	23 October 2019	24 October 2019
2 September 2020	3	Child Safeguarding Policy	Change of Policy Name and Number. Additional information under: <ul style="list-style-type: none">• Personnel Recruitment and Selection• Responding to and Reporting Child Safeguarding Concerns	2 September 2020	3 September 2020

			<ul style="list-style-type: none"> • Change of the word protection to safeguarding throughout the document. 		
8 September 2021	4	Child Safeguarding Policy	<ul style="list-style-type: none"> • Throughout the document wording has been updated with: <ul style="list-style-type: none"> -The complainant maybe a Child or an Adult -Imminent danger • Item 2: • Update to the Purpose • Item 4: • Changes to Context • Item 14: • Change to keeping of records for 50 years • Update to Related Documents 	8 September 2021	9 September 2021
31 August 2022	5	Child Safeguarding Policy	<p>5. Revised definition in DEFINITIONS section 5- Child & Child Abuse to include non-binary and transgender boys and girls using UN definition.</p> <p>13.RESPONDING TO AND REPORTING CHILD-SAFEGUARDING CONCERNS</p> <ul style="list-style-type: none"> • Expanded information on Who to report to? • How should it be reported? <p>Inclusion of ACSL standard in introduction</p> <p>Changes to reflect the Victorian 11 Child Safe Standards that took effect from July 2022 with a particular focus on</p> <ul style="list-style-type: none"> • involving families and communities in organisations' efforts to keep children and young people safe • a greater focus on safety for Aboriginal children and young people • managing the risk of child abuse in online environments. 		

20. APPROVAL DATE/REVISION SCHEDULE

Approved by: Board, Mercy Works Ltd
To Be revised: August 2023

Board Chair Signature:	
Date:	2 September 2022



CHILD SAFEGUARDING CODE OF CONDUCT DECLARATION

All Board Directors, Committee Members, employees, Volunteers and Contractors are responsible for conducting themselves in a professional manner consistent with their role as a Mercy Works' Limited representative and as a positive role model to children. This means establishing and maintaining clear boundaries that serve to protect everyone from misunderstandings or violations of the professional relationship.

Under this Child Safe Code of Conduct, I will:

- Conduct myself in a manner that is consistent with the values of MWL.
- Provide welcoming, inclusive and safe physical and on-line environments for all children and young people.
- Respect all children and treat them equally regardless of gender, race, religious or political beliefs, age, physical or mental health, sexual orientation, family and social background and culture, economic status or criminal background.
- 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.
- Immediately report any concerns of child abuse or breach of the Child Safeguarding Policy or this Child Safeguarding Code of Conduct Declaration according to the guidelines outlined in the Child Safeguarding Policy.
- Immediately disclose all charges, convictions and other outcomes of an offence that relates to child exploitation and abuse, including those under traditional law, which occurred before, or during my association with MWL.
- Take responsibility for ensuring that I am accountable and do not place myself in positions where there is a risk of allegations being made.
- Self-assess my behaviours, actions, language and relationships with children.
- Comply with all relevant Australian and overseas child safeguarding legislation, including labour laws in relation to child labour.
- Consult with the Executive Director or other relevant staff if I have any questions regarding child safeguarding and how it relates to my work/relationship with MWL.
- Comply with the MWL Child Safeguarding Policy and Procedures.
- Whenever possible, ensure that another adult is present when working near children and on-line.
- Be a positive role model for children.
- Treat all children in any of the programmes with respect.
- Support measures to ensure racism within the organisation is identified, confronted and not tolerated.
- Encourage all children to express their culture and enjoy their cultural rights.

Under this Child Safe Code of Conduct, I will not:

- Engage in behaviour that is intended to shame, humiliate, belittle, degrade or exploit children.
- Use language or behaviour towards children that is inappropriate, harassing, abusive, sexually provocative, discriminatory, demeaning or culturally inappropriate.
- Do things of a personal nature that a child can do for him/herself, such as assistance with toileting or changing clothes.
- Invite unaccompanied children into my home/hotel or other private location, unless they are at immediate risk of injury or in physical danger.
- Sleep in the same room or bed as a child.
- Smack, hit or physically assault or physically punish children.
- Involve children in sexual relationships or any form of sexual activity, including paying for sexual services.
- Develop relationships with children that may be deemed exploitative or abusive.
- Not give or provide children with alcohol or illegal drugs.
- Not show favouritism through the provision of gifts or inappropriate attention.
- Behave provocatively or inappropriately with a child.

- Condone or participate in, behaviour of children that is illegal, unsafe or abusive.
- Act in a way that shows unfair and differential treatment of children.
- Hold, kiss, cuddle or touch a child in an inappropriate, unnecessary or culturally insensitive way.
- Seek to make contact and spend time with any child or young person outside the program times.
- Use any computers, mobile phones, video and digital cameras, or social media inappropriately, nor use them for the purpose of grooming, exploiting or harassing children.
- Hire minors for domestic or other labour.

When photographing or filming a child, or using children’s images for work-related purposes, I will:

- Obtain informed and documented consent of the child and his/her parents or guardians before photography/filming.
- Provide an explanation on how the photograph/film will be used.
- 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.
- Images are honest representations of the context and facts.
- Ensure file labels, metadata or text descriptions do not reveal identifying information about a child when sending images electronically or publishing images in any form.
- Take care to ensure the local traditions or restrictions for reproducing personal images are adhered to before photographing or filming a child.

Failure to comply with these directives will result in disciplinary action being taken, up to and including immediate termination of employment, termination of contractor agreement, notification to external agencies and/or criminal charges.

I _____ have read this

Child Safeguarding Policy and agree to comply unconditionally, with all its directives.

Signed: _____

Date _____

If a child disclosed abuse, write down exactly what the child said, and what you said:
Observations made by you (e.g. child's emotional state, any physical evidence):
Any other relevant information (e.g. disability, language)
Were other children involved or aware?
Who have you reported this incident to?
Time and date of reporting:
Advice received from person(s) to whom the report was made:
<p>Action taken:</p> <p>a) by you</p> <p>b) by the person to whom you reported the incident</p> <p>Current Situation:</p> <p>Is the child still in imminent danger of abuse or neglect and if so in what way?</p>
Declaration of Disclosure
<p>I state that in making this disclosure, the information set out above is to the best of my recollection true, accurate and correct.</p> <p>Name of Person relaying this disclosure: _____</p> <p>Signature of Person relaying this disclosure: _____</p> <p>Date: _____</p>
<p>Forward by Post:</p> <p>Executive Director Sally Bradley RSM Mercy Works Limited PO Box 2023 North Parramatta NSW 1750 Australia</p> <p>Scan and email: Executive Director sally.bradley@mercyworks.org.au</p>