



1. Introduction

The Leprosy Mission Australia believes in the fundamental right of children to grow up safely and enjoy a childhood that is free from exploitation and abuse.

As an ANCP accredited NGO, TLMA abides by the child protection guidelines recommended by the Australian Government's Department of Foreign Affairs and Trade (DFAT). TLMA is committed and obligated to ensuring child safety (including protection of children from exploitation and abuse) in all aspects of our work. All TLMA's programs and respective partners aim to create and maintain protective environments for children.

This policy provides a framework for protecting children from exploitation and abuse in the delivery of TLMA's programs (both within Australia and in the Implementing Countries it supports).

TLMA's Child Protection Policy (CPP) follows five guiding principles:

1. Zero tolerance of child exploitation and abuse
2. Recognition of the best interests of the child
3. Sharing responsibility for child protection
4. A risk management approach
5. Procedural fairness.

TLMA is setting this standard for its staff both in Australia and overseas. Our collective responsibility is to follow this policy in our work. In doing so, we are doing everything we can to ensure a safe and secure childhood for children we have contact with in Australia and in Implementing Countries.

2. Protection of Children from Exploitation and Abuse

The need to protect children is an issue for all communities. Children across the world are subjected to exploitation and abuse, and experience sexual, physical, and psychological violation. Many are forced into exploitative work, including commercial sexual exploitation.

There are many factors that increase children's vulnerability to exploitation and abuse, including disability, being orphaned, displaced, homeless, or abandoned. During emergency and disaster situations, children are more likely to experience exploitation and abuse as a result of being separated from their parents and other caregivers who would normally protect them from such harm.

Child exploitation and abuse traumatises children and adversely affects their development and well-being. Children who are exploited and abused experience a greater likelihood of long-term consequences, including mental health issues, reduced educational outcomes, drug and alcohol abuse, and increased likelihood of coming into contact with the law. At its core, child exploitation and abuse undermines a child's right to grow up safely.

3. TLMA's Christian Perspective

TLMA acknowledges the need to protect children and young people, and to minimise the risk of them being abused. TLMA expects the highest standards of professional practice in all our work and contact with children.

TLMA believes that:

- God loves children
- children have the right to a happy, healthy, and secure childhood
- the welfare of the child is paramount
- child abuse is never acceptable
- the abuse of children is an abuse of their rights as set out in the *United Nations Convention of the Rights of the Child*.

3a. TLMA Policy Commitment

TLMA acknowledges that it is always unacceptable for a child to experience any kind of abuse. TLMA recognises the need to protect children and young people, and to minimise their risk of being abused. This policy has been written to ensure that TLMA takes every possible measure to prevent abuse. It aims to ensure that none of its staff, volunteers, partners, or other representatives engage in behaviour that could be misinterpreted by children, their families, or other adults as constituting or leading to abuse.

4. Rationale for TLMA's Child Protection Policy

There is international recognition that adults who have a formal role in working with or supporting children are in positions of trust and authority. The relationship between an adult and child is not a relationship between equals. Children are dependent on adults to care for and protect them.

It is a shared and collective responsibility of all adults to prevent child exploitation and abuse. TLMA has adopted this policy in recognition of its responsibilities as an International NGO and as a DFAT funding recipient. TLMA is committed to working with its respective partners to prevent and respond to child exploitation and abuse.

Child sex offenders often seek employment or volunteer placements in organisations that work with children in Australia or overseas. They might be attracted to working in low income countries to access vulnerable children and to avoid tougher laws. This policy sends a clear message that child exploitation and abuse is not tolerated and attracts disciplinary and commercial sanctions, as well as criminal penalties under Australian domestic and extra-territorial laws.

5. Policy Goal and Objective

5a. Goal

To protect children from exploitation and abuse of all kinds in the delivery of TLMA's programs, both within Australia and in the Implementing Countries it supports.

5b. Objective

To create and maintain protective environments for children in TLMA's programs, both within Australia and in the Implementing Countries it supports.

6. Scope of Policy

This policy applies to:

- TLMA staff, including those who work:
 - full time
 - part time
 - casually
 - cross-culturally;
- Partner organisations that receive funds through TLMA, including:
 - TLM Implementing Country (IC) offices
 - all IC personnel
 - all IC in-country partners that receive TLMA funds;
- Individual contractors funded by TLMA, including:
 - consultants
 - researchers
 - students
 - photographers;
- *Australian Volunteers for International Development (AVID)* program participants working with TLMA-funded projects in Implementing Countries; and
- All “others,” including:
 - visitors to TLMA-funded IC programs and projects
 - TLMA-organised tour group members
 - any other individuals or groups working or volunteering for TLMA in a capacity that may involve contact with children.

7. Guiding Principles

(Adapted from DFAT’s Child Protection Policy 2017)

This policy is guided by the following principles:

7a. Zero tolerance of child exploitation and abuse

TLMA does not tolerate child exploitation and abuse. Such action attracts criminal, civil, and disciplinary sanctions. TLMA works to reduce the risks of child exploitation and abuse associated with delivering aid activities, and trains its staff on their obligations. TLMA will not knowingly engage—directly or indirectly—anyone who poses an unacceptable risk to children. TLMA will not fund any individual or organisation that does not meet TLMA’s child protection compliance standards in their operations and activities.

7b. Recognition of the best interest of the child

Australia is a signatory to the *United Nations Convention on the Rights of the Child*, and TLMA is committed to upholding the rights and obligations under this convention. TLMA recognises that some children, such as those with disability and children living in areas impacted by disasters, are particularly vulnerable.

7c. Sharing responsibility for child protection

To effectively manage risks to children, TLMA requires the commitment, support, and cooperation of staff, contractors, partners, and others connected to the organisation. They must meet the terms of this policy and will be held accountable, through contracts, audits, and spot checks, for complying with it.

7d. A risk management approach

While it is not possible to eliminate all risks of child exploitation and abuse, careful management can reduce the risks to children that may be associated with aid activities. These are identified during initial risk assessments and are managed for the duration of the aid activity.

7e. Procedural fairness

TLMA uses fair and proper procedures when making decisions that affect a person's rights or interests. Our partners are expected to adhere to this principle when responding to concerns or allegations of child exploitation and abuse.

8. Implementation within TLMA

(Adapted from DFAT's Child Protection Policy 2017)

8a. Ensuring coordinated policy implementation

The TLMA Management Team is responsible for:

1. Responding to reports of child exploitation and abuse, and policy non-compliance in a timely manner
2. Conducting child protection audits and spot checks to monitor the child protection systems of contractors and partner organisations
3. Monitoring internal and external compliance with the policy
4. Providing child protection training for TLMA staff
5. Reviewing the policy every five years.

8b. Increasing staff awareness of child protection obligations under the policy

TLMA's staff receive regular training on child protection issues and on their obligations under this policy, including mandatory reporting of concerns or allegations of child exploitation and abuse. Training is compulsory for all staff and included in courses delivered at induction and before staff are deployed (see Attachment 13 for details of training).

TLMA staff must:

1. Immediately report any concerns or allegations of child exploitation and abuse, and policy non-compliance, by anyone covered by the policy
2. Complete child protection training and as part of that, acknowledge their responsibilities by signing TLMA's Child Protection Code of Conduct (See Attachment 2). They must comply with the code of conduct during the course of their employment
3. Consider child protection as part of the initial risk assessment for activities in Implementing Countries and throughout the program management cycle.

8c. Internal recruitment and screening processes

TLMA's internal recruitment processes include stringent screening measures to ensure that inappropriate people are not employed by the agency. These include criminal record checks (or appropriate equivalent¹) and background checks on all successful candidates before they begin

¹ TLMA recognises that in limited instances it may prove impossible to obtain a reliable criminal record check. A statutory declaration outlining efforts made to obtain a national police check, and disclosing any charges and spent convictions related to child exploitation, may be accepted in lieu.

work. Additional screening measures are incorporated into the selection processes for positions that involve working with children.

8d. Internal procedures for handling reports related to child exploitation and abuse

TLMA has internal procedures for handling reports related to child exploitation and abuse² and notifies relevant law enforcement agencies as appropriate. These procedures outline obligations and responsibilities for reporting on and managing concerns about inappropriate behaviour and are summarized in Attachments 3a and 3b.

8e. Ensuring appropriate use of communications systems

TLMA's guidelines on appropriate use of its communications systems apply to child exploitation material. Using the organisation's systems to access child exploitation material or to engage in online grooming is unacceptable and is dealt with promptly, including, as appropriate, reporting to relevant law enforcement agencies.

8f. Incorporating child protection strategies into risk management procedures

Risk management procedures are integrated into a comprehensive set of compliance and control systems embedded in TLMA operating processes. Risks to children are identified during initial risk assessments and are managed for the duration of the program's activities. The TLMA Risk Management procedures are reviewed six-monthly at FAR (Finance Audit and Risk) Committee meetings.

All projects in TLMA's International Program are assessed for level of child protection risk according to *DFAT's Guidance Note on Establishing Child Protection Risk Context* (Attachment 14). If a project is found to have a moderate to high level of child-protection related risk, a project level risk assessment is conducted using the implementing partner's Risk Management Framework.

8g. Ensuring risks to children are managed in humanitarian disaster responses

TLMA recognises that children living in areas impacted by disasters are particularly vulnerable. Risks to children must always be considered when developing humanitarian disaster response activities.

8h. Child Protection Code of Conduct

All TLMA staff must comply with TLMA's Child Protection Code of Conduct (Attachment 2), which sets stringent standards for personal behaviour. TLMA expects staff to use common sense and avoid actions or behaviours that could be construed as child exploitation and abuse in the course of their association with TLMA.

8i. Reviewing the child protection policy regularly

This policy will be reviewed every five years, and lessons learnt will be incorporated into subsequent versions.

9. TLMA's expectations of partner organisations and contractors

TLMA has mandatory child protection compliance standards to ensure that partner organisations and contractors understand and act on their obligations for managing risks to children. All partner organisations and individual contractors are expected to immediately notify TLMA's Management

² TLMA adheres to Handling misconduct: a human resources practitioner's guide to the reporting and handling of suspected and determined breaches of the APS Code of Conduct <http://www.apsc.gov.au/publications-and-media/current-publications/handling-misconduct>.

Team if any TLMA-funded personnel, or TLMA partner personnel, are accused of, charged with, arrested for, or convicted of criminal offences relating to child exploitation and abuse.

9a. Core partners

TLMA requires core partners to develop and implement a TLMA-compliant child protection policy in accordance with the Compliance Guide (Attachment 1). The policy must apply to all personnel, volunteers, civil society organisations, and subcontractors who are engaged by a core partner to perform any part of an activity that receives TLMA funding. Core partners must ensure that any program participants and partners comply with the relevant child protection standards, including ensuring civil society organisations and subcontractors have a TLMA-compliant Child Protection Policy.

9b. Civil society organisations and contractors

Contractor and civil society organisations play an important role in protecting children. TLMA-funded contractors and civil society organisations are required to develop and implement TLMA-compliant Child Protection Policies in accordance with the Compliance Guide (Attachment 1), which consists of nine standards that provide a framework for managing and reducing the risks of child exploitation and abuse. The organisation's child protection policy must apply to all personnel, partners, and subcontractors who are engaged by a contractor or civil society organisation to perform *any part* of a TLMA-funded activity. Those using TLMA funds to engage an organisation or individual subcontractor must ensure the organisation or individual subcontractor complies with the relevant child protection standards.

9c. Individual contractors

Individual contractors for TLMA who are in contact with children are required to sign TLMA's Child Protection Code of Conduct (Attachment 2), and to ensure they comply with this during their employment. Individual contractors must obtain a criminal record check before they are contracted. Those using TLMA funds to engage an organisation or individual subcontractor must ensure the organisation or individual subcontractor complies with the relevant child protection standards.

9d. Volunteers

TLMA's Child Protection Policy, developed in accordance with the Compliance Guide (Attachment 1), applies to all volunteers who are engaged by TLMA, both within Australia and overseas, to perform or participate in any part of a program activity. Volunteers must comply with the relevant child protection standards and those who are in contact with children are required to sign TLMA's Child Protection Code of Conduct (Attachment 2), and to ensure they comply with this during their volunteering period.

10. TLMA's compliance mechanisms

These have been developed in accordance with the DFAT Minimum Child Protection Standards (Attachment 1).

Compliance Standard 1

TLMA has a child protection policy that applies to all personnel, partners and subcontractors that are engaged by the contractor or civil society organisation to perform any part of a TLMA-funded activity.

Our due diligence framework requires all potential partners are compliant with TLMA policy and standards.

Why is this required?

A child protection policy provides clear guidance and demonstrates how the organisation, across its operations, will ensure that children are protected from child exploitation and abuse in the delivery of TLMA- funded activities.

Evidenced by:

- Child Protection Policy.
- Personnel are aware of the organisation's Child Protection Policy (that is, through internal communication and training).
Refer Above: 6, 8a.2, 8a.3, 8a.4, 8b, 8b.2, 8c, 8h
- Documented plan for ensuring TLMA-funded implementing partners are meeting the minimum standards set out in the expectations section of this policy.
Refer: Attachment 4

Compliance Standard 2

TLMA's Child Protection Policy includes a documented reporting procedure for child exploitation and abuse allegations and policy non-compliance, including available sanctions for breaches.

Why is this required?

- An effective child protection policy requires a report handling procedure. One of the biggest hurdles to personnel reporting child exploitation and abuse is that there is no formal system in place to do so, or that personnel are not aware of a formal system to report concerns or allegations;
- Reporting systems must respect the rights of the alleged victim and alleged offender.

Evidenced by:

- TLMA's guidelines for managing concerns or allegations of child exploitation and abuse, and policy non-compliance.
Refer Above: 8a.1, 8b, 8b.1, 8d, 9, Attachments 3a and 3b
- Documentary evidence that personnel can raise concerns about a child's safety or well-being or unacceptable behaviour by personnel.
Refer Above: 8a.1, 8b, 8b.1, 8d, 9, Attachments 7a and b
- Documentary evidence outlining TLMA's details of available sanctions for breaches of the code of conduct.
Refer Above: 8a.3, 8b.2, 8h, Attachment 3a

Compliance Standard 3

TLMA provides child protection training for personnel.

Why is this required?

- Personnel must be fully aware of their responsibilities to protect children and how to report concerns or allegations about child exploitation and abuse.

Evidenced by:

- Training agendas and timeframes for training.
Refer: Child Protection Training Manual

- Materials used in training.
Refer: Child Protection Training Manual

Compliance Standard 4

TLMA's Child Protection Policy commits it to preventing a person from working with children if they pose an unacceptable risk to children.

Why is this required?

- Provides the TLMA with clear grounds as an employer to determine whether a person is the most appropriate to work with children.

Evidenced by:

- Referenced in relevant documentation, including policies, contracts and human resource guidelines.
Refer: 8a.3, 8c, 8d, TLMTL Policies, H.R. Manual

Compliance Standard 5

TLMA's child protection policy is subject to regular review—at least every five years, or earlier if warranted.

Why is this required?

- Contexts change, particularly in the development sector. There must be a commitment to review and update the policy as required;
- Given that child protection policies are relatively new for many organisations, it is important that TLMA can learn and adapt from its experiences in implementing its child protection policy.

Evidenced by:

- Timetable/timeframe for review.
Refer: Attachment 9
- Policy review report at least every five years.
Refer: 8a.5, 8i
- Records of consultation with TLMA on policy review.
Refer: Attachment 10

Compliance Standard 6

TLMA undertakes a risk assessment that covers all TLMA-funded activities that have contact with children. The assessment should identify risks, classify any high-risk activities, and document steps being taken to reduce or remove these risks.

Our due diligence framework requires all potential partners to be assessed for risks and strengths before agreements are entered into.

Why is this required?

- Some activities are higher risk than others. This may be due to the nature of the activity or the location. For example, working with children with disability or in an emergency situation.

Evidenced by:

- Risk log identifying high risk activities and measures to reduce or remove the risk to children.

Refer: 8b.3, Attachment 12

- Evidence that risk assessments are reviewed/updated throughout the lifecycle of the activities.
Refer: 8f, Attachment 9

Compliance Standard 7

TLMA's employment contracts contain provisions for dismissal, suspension, or transfer to other duties for any employee who breaches the Child Protection Code of Conduct.

Under current agreements and MOUs, TLMA can require individuals to be removed from working on an activity, and can also require anyone under formal investigation to be suspended from duty or transferred to other duties during said investigation. This right is exercised when an individual has been convicted of a criminal offence relating to child exploitation and abuse, or when it is considered that an individual poses an unacceptable risk to a child's safety or well-being.

In line with procedural fairness principles, TLMA reserves the right to terminate contract negotiations if appropriate criminal record checks are not provided. TLMA will not engage an individual, or will require an individual to be replaced, if there is an unacceptable risk to a child's safety or well-being).

Why is this required?

- Reinforces the importance of TLMA's policy to personnel;
- Ensures TLMA has legal recourse to remove or transfer personnel who pose an unacceptable risk to children.

Evidenced by:

- Contract with personnel.
Refer: 8a.3, 8h, Staff Contracts

Compliance Standard 8

TLMA has robust recruitment screening processes for all personnel in contact with children.

These recruitment procedures include:

- criminal record check before engagement
- verbal referee checks
- interview plans that incorporate behavioural-based interview questions. These are to be used when candidates are applying for positions that involve working with children.

Why is this required?

Child-safe recruitment and screening processes are essential to enable an organisation to choose the most appropriate person for a position that involves contact with children.

Evidenced by:

- Documented criminal record checks for personnel in contact with children.
Refer Above: 8c, 9c
- Documented verbal referee checks.
Refer Above: 8c, 9c
- Interview plans incorporating behavioural-based interview questions that are specific to positions that involve working with children.
Refer: Attachment 5

- Documented request for an applicant to disclose whether they have been charged with child exploitation offences and their response.

Refer: Attachment 6

Compliance Standard 9

TLMA has a Child Protection Code of Conduct that meets the minimum standard set by DFAT.

Compliance is monitored through performance assessments, reviews, evaluations, TLM country office audits and other random audits and spot checks.

Why is this required?

- A Code of Conduct protects children and personnel. It makes clear TLMA's standards for acceptable and unacceptable behaviour in relation to children and must be signed by all personnel;
- It protects personnel by providing guidance on how to avoid situations that may be perceived as harmful to children. It also provides employers with a sound basis on which to conduct disciplinary action.

Evidenced by:

- A child protection code of conduct based on DFAT's Child Protection Code of Conduct.
Refer: 8b.2, 8h, signed copies of Attachment 2
- Signed codes of conduct or a register documenting details of personnel who have signed the code of conduct.
Refer: 8b.2, 8h, Attachment 8

Revision History (see Attachment 10 for more details)

Version	Date	Author	Summary
1.0	11/08/2008	IPS department	TLMA child protection policy approved by TLMA Board
2.0	16/08/2013	N Smith	Policy updated according to DFAT Child Protection Policy 2013
2.1	26/05/2017	J Montgomery	Policy updated according to DFAT Child Protection Policy 2017 and updated ACFID Code of Conduct 2016
2.2	6/06/2017	J Montgomery	Policy updated following input from TLMA IPC meeting on the 5/06/17.
2.3	26/06/2017	N Collard	Updated following input from TLMA Board

Document Approval History

Version	Date	Approved by
1.0	11/08/2008	TLMA Board
2.0	16/08/2013	TLMA Board
2.3	26/06/2017	TLMA Board

Attachments

1. Compliance Guide for a Child Protection Policy
2. Child Protection Code of Conduct
- 3a: Internal Procedures for Handling Reports of Misconduct
- 3b: Checklist for Employee Suspension
4. Checklist to help Partners to Achieve CPP Expectations
5. Interview Questions Relating to Child Protection
6. Criminal Offense Disclosure Form
- 7a: Mandatory Reporting Process for TLMA Staff and TLMA Partner Organisations
- 7b: Report of a Reasonable Suspicion of Child Abuse and Neglect
8. Signed Code of Conduct and Police Check Register
9. Time Line for Child Protection Policy Implementation and Review
10. Records of consultation with TLMA on policy review
11. Child Protection Risk Assessment Template
12. Child Protection Risk Register
13. Guidelines for Child Protection Training
14. DFAT Guidance notes on Establishing Child Protection Risk Context