

Policy Name:	Child Protection Code of Conduct		
Distribution:	All Employees, Volunteers and as defined in paragraph 2 Scope below	Document No:	CA-PC-POL-003(ii)-v2.1
Approval Date:	28 June 2018	Next Review Date:	28 June 2021
Issued / Updated by:	Head of International Programs	Approved by:	National Council

1. Organisational Commitment

Caritas Australia is committed to creating and maintaining an environment which promotes its core values and prevents abuse and sexual exploitation of children regardless of gender, race, country of origin or religious belief.

Our work is guided by the Catholic Social Teachings. Our work with children is underpinned by the Caritas Internationalis Child Protection Policy Framework; the Department of Foreign Affairs and Trade (DFAT) Child Protection Policy 2017; and, the United Nations Convention on the Rights of the Child (UNCRC) which states that children should be protected from all forms of physical and mental violence, injury, abuse, neglect, maltreatment and exploitation, including sexual abuse.

2. Scope

This Code of Conduct applies to:

- Caritas Australia employees
- Members of the National Council of Caritas Australia
- Caritas Australia volunteers, independent contractors engaged by Caritas Australia to undertake work for Caritas Australia, Caritas Australia partners and all persons working with or contracted by any person or organization engaged by Caritas Australia to undertake work for or on behalf of Caritas Australia including persons who visit Caritas Australia premises, programs or activities

3. Guiding Principles

Caritas Australia's staff and others covered by this Code are expected to contribute to building a harmonious workplace based on team spirit, mutual respect and understanding. Caritas Australia staff and others (as defined in paragraph 2 of this Code) are expected to uphold the dignity of those we serve, by ensuring that their personal and professional conduct is of the highest standard

at all times and consistent with their role as Caritas representatives and a positive role model to children.

Caritas Australia is guided by the principles of Catholic Social Teachings in every aspect of the support that we provide to children and communities. Those principles are:

- Human Dignity
- The Common Good
- Preferential Option for the Poor
- Economic Justice
- Stewardship of Creation
- Solidarity
- Subsidiarity
- Participation

Caritas Australia strongly condemns all kinds of physical, sexual, emotional or psychological abuse and exploitation. Proven allegations of abuse and sexual exploitation constitute acts of serious misconduct and are therefore grounds for termination of employment. Caritas Australia staff and others are responsible for maintaining a professional role with children, which means establishing and maintaining clear professional boundaries that serve to protect everyone from misunderstandings or violation of the professional relationship.

Caritas Australia is guided by the following specific principles in relation to our work with children:

- Promoting and protecting the best interests of the child at all times
- Zero tolerance of child abuse
- Mandatory reporting of suspected or confirmed child abuse
- Viewing child protection as a shared responsibility between Caritas Australia, our partners and the communities in which we work
- Including the views of children and young people in the development of our child protection framework

4. Definitions

Child	Caritas Australia uses the United Nations Convention on the Rights of the Child (UNCRC) definition of a child, which is any person under the age of 18, regardless of whether a nation’s laws recognize adulthood earlier.
Child Abuse	Child Abuse includes physical, sexual and emotional abuse and neglect, bullying, child labour, domestic violence and exploitation including commercial sexual exploitation.
Child Protection Framework	When used in this Code refers to the documents, training programs and risk assessment and mitigation practices implemented by Caritas Australia to

	minimize the potential of Child Abuse in relation to children supported by Caritas Australia programs or activities.
Child Protection	The term used to describe the responsibilities and activities undertaken to prevent or stop children being abused or neglected.
Safeguarding	In Caritas Australia, Safeguarding refers to the actions, policies and procedures that create and maintain protective environments for all, including our staff, partners and beneficiaries, particularly those that are most vulnerable to exploitation, abuse or exclusion. Safeguarding includes prevention, mitigation, response and feedback and complaints handling mechanisms.
Others	A term used in this Code to refer to Caritas Australia consultants, volunteers, independent contractors, partner organisations and others affiliated with any group or organisation undertaking work for or on behalf of Caritas Australia.

For the purpose of this Code, a reference to child abuse includes:

- **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

Caritas Australia’s Child Protection Code of Conduct ensures compliance with the Department of Foreign Affairs and Trade (DFAT) Child Protection Professional Behaviours set out in Attachment B of DFAT’S Child Protection Policy issued November 2017 and requires Caritas Australia

employees and others as defined in this code to comply with the following behavioural protocols, prohibitions and expectations:

1. Exchange of money, employment, goods, assistance or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour is prohibited.
2. Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of consent locally. Neither mistaken belief in the age of a child nor consent amounts to an excuse or defence to such situations.
3. Caritas Australia's employees and others must not engage in any form of physical punishment/discipline of children, harassment, discrimination, physical or verbal abuse, intimidation, favouritism or exploitative sexual relations.
4. Physical contact (touching) with children should only be in response to the need of the child and with their permission. Always avoid contact with the breasts, buttocks and groin areas of children. Ensure your actions are open and non-secretive. Do not do things for children of a personal nature that they can do for themselves and do not hold, kiss, cuddle or touch a child in an inappropriate, unnecessary or culturally insensitive way.
5. 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.
6. 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 and recognise their right to personal privacy.
7. Do not use inappropriate, harassing, abusive, sexually provocative, demeaning, culturally inappropriate offensive or discriminatory language when speaking with a child or young person. Never make suggestive remarks or gestures, even in fun.
8. Before photographing or filming a child, obtain verbal consent from the child and respective family or guardians and explain how the images will be used. A Caritas Australia Release Form is to be provided to obtain the written consent from the individuals concerned where possible. Take care to ensure local traditions or restrictions for reproducing personal images are adhered to before photographing or filming a child.
9. Ensure children are adequately clothed and the images present children in a dignified and respectful manner. Images must be honest representations of the context and facts. Ensure 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.
10. Caritas Australia's employees and others must use computers, mobile telephones, video and digital cameras and social media appropriately and never exploit or harass children or access child pornography through any medium.
11. Be aware of situations and behaviours that may present risks or be perceived by others as child exploitation and abuse and pro-actively develop strategies to create safeguards to protect the interests, safety and wellbeing of children. Wherever possible, ensure that another adult is present when in contact with children.
 - Do not invite unaccompanied children into your home, unless they are at immediate risk of injury or in physical danger.

- Do not sleep close to unsupervised children unless absolutely necessary; in which case supervisor's permission must be obtained and another adult to be present if possible.
 - Do not take children alone in a car, even for short journeys, unless this is unavoidable for safety reasons. If this is unavoidable, make sure an adult care provider or another member of staff is aware it is happening.
 - Do not provide alcohol or drugs or tobacco products such as cigarettes to children.
 - Do not give excessive gifts to children as it could be perceived as exploitative behaviour.
12. Plan and organise any events involving children so that risks are minimised.
 13. Encourage open communication between all children, young people, parents, staff and volunteers and have children and young people participate in decisions that affect them. Provide access for children and young people to talk to others about any concerns they have.
 14. Where a Caritas Australia employee or other person as defined in this Code develops concerns in relation to the expectations outlined in the Child Protection Guidelines and Procedures, or witnesses an incident regarding abuse or sexual exploitation she/he must immediately report such concerns to the Caritas Australia Child Protection Officer and local legal authorities where appropriate. Be diligent in reporting any children who you perceive to be at risk or harm and never trivialise or exaggerate child abuse issues.
 15. Do not assume that someone else will take responsibility for a situation relating to the safety of children.
 16. Caritas Australia's employees and others as defined in this Code must comply with all relevant Australian and local legislation, including labour laws in relation to child labour.
 17. Caritas Australia's employees and others as defined in this Code are expected to behave in accordance with Caritas Australia's values at all times and must immediately disclose all charges, convictions and other outcomes of an offence, which occurred before or occurs during their association with Caritas Australia that relate to child exploitation and abuse.

5. The Caritas Child Protection Officer

The Child Protection Officer is responsible for managing all aspects of the Caritas Australia Child Protection Framework and for taking appropriate action, including mandatory reporting of alleged Child Abuse or other inappropriate conduct in relation to children. The Child Protection Officer is also the focal point for safeguarding issues for Caritas Australia.

The Child Protection Officer is also responsible for investigating allegations of Child Abuse; conducting risk assessments in relation to Caritas Australia Programs and activities involving children and for ensuring that training programs are implemented and serve the purpose of educating and minimizing the potential for breaches of the Caritas Australia Child Protection Framework .

Until further advised, the Caritas Australia Child Protection Officer is the person appointed in a substantive or acting or higher duties capacity to the role of Head of International Programs.

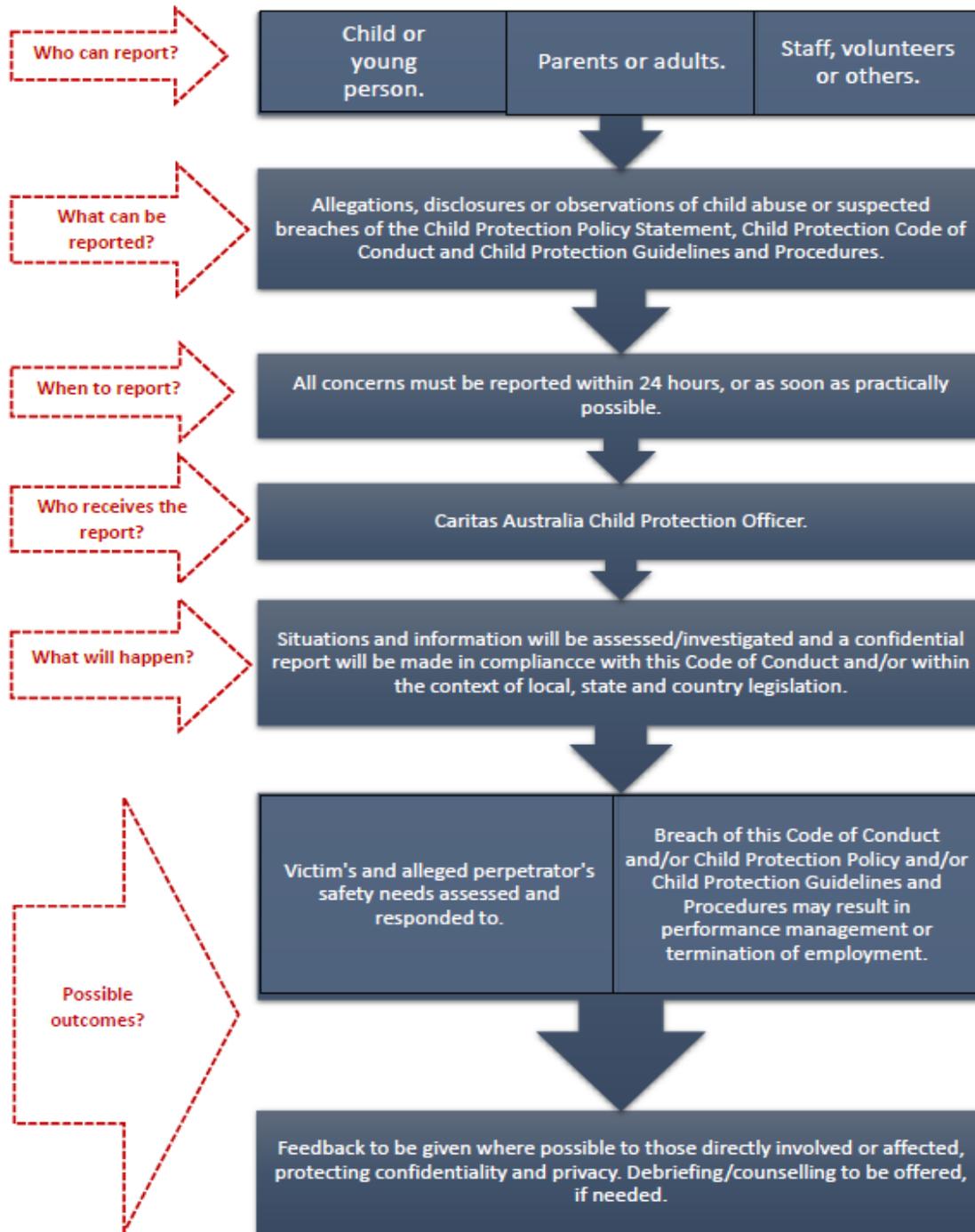
That position holder will be assisted in the discharge of her/his duties and responsibilities as the Child Protection Officer by:

- The person appointed in a substantive or acting or higher duties capacity to the role of Head of Engagement and Sustainability who will as directed by or in consultation with, the Child Protection Officer, take all reasonable steps to ensure that children with whom Caritas Australia staff and others as defined in paragraph 2 of this Code of Conduct have contact with in the course of undertaking Caritas Australia programs or activities
- Appropriate staff employed within the International Programs Team, including staff employed within the Program Evaluation and Learning Group whose Position Descriptions contain references to Child Protection, policy development and program design, monitoring and evaluation responsibilities
- Appropriate staff employed within the People and Culture Team whose Position Descriptions contain references to the management of staff discipline processes
- Appropriate staff employed within the Corporate Services Team whose Position Descriptions contain references to the reporting of risks associated with Caritas Australia programs and activities that involve children.

6. Reporting alleged breaches of the code

All reports of alleged breaches of this Code are to be reported to the Child Protection Officer using the forms and mechanisms authorised by the Child Protection Officer and published by Caritas Australia.

Child Protection Reporting Process



7. Breaches of the child protection code of conduct

Caritas Australia commits to taking action to promptly and confidentially investigate all allegations of a breach of this Code.

Caritas Australia has appointed a Child Protection Officer to be responsible for managing all aspects of Caritas Australia's child protection framework and training programs. Alleged breaches of this Code must be referred to the Child Protection Officer who will arrange for the allegation to be referred to the police or other law enforcement agencies if the matter involves possible criminal conduct and for other alleged conduct to be investigated in accordance with relevant Australian Catholic Bishops Conference procedures and Caritas Australia procedures.

Proven allegations made against Caritas Australia employees may result in disciplinary action including termination of employment.

8. Document Control and Version History

Version No.	Date Approved	Approved By	Description of Changes
n/a	Apr 2010	CEO	Original publication
n/a	Nov 2014	CEO	Revised publications to incorporate the change to DFAT & updated legislation, updated logo
CA-PC-POL-010 v2.0	28 Jun 2018	National Council	Revised to incorporate DFAT policy requirements, add Child Protection Reporting Process and to explain the responsibilities of the Child Protection Officer
CA-PC-POL-003(ii) v2.1	2 Nov 2018	People and Culture	Updated header Re-numbered document numbers to be consistent with Policy and Procedure Development Framework. '003' refers to all the Child Protection documents. (i) refers to the Policy Statement and (ii) refers to the Code of Conduct.

9. Acknowledgement and Acceptance

I have carefully read the Child Protection Code of Conduct and agree that I understand that the onus is on me, as a person engaged by Caritas Australia, and who, through that engagement, has contact with children, to adhere to the above behaviours and to refrain from engaging in behaviours that could be construed as child abuse when implementing Caritas Australia programs and activities.

I understand that if I am found by Caritas Australia to have breached this Code, this may provide grounds for my employment with Caritas Australia or my contract to provide services for or on behalf of Caritas Australia to be terminated.

I acknowledge the right of Caritas Australia to report any alleged breach or suspected breach of this Code by me to the police or relevant law enforcement or related agency including the Department of Foreign Investment and Trade if that alleged breach or suspected breach may, if proven, involve criminal conduct or other inappropriate conduct as defined in this Code.

I authorise Caritas Australia to undertake all necessary criminal record checks and related processes to enable Caritas Australia to be confident that I am a person who will comply with this Code when I am in contact with children in the course of my employment with Caritas Australia or when providing services to Caritas Australia or for or on behalf of Caritas Australia.

Note: This Child Protection Code of Conduct is not intended to create any contractual rights or entitlement outside of an employee's contract of employment, and is not intended to apply as terms of an employee's contract of employment.

Signed by: _____ Date ____/____/____

Name: (please print) _____

Witnessed: _____ Date ____/____/____

Name (please print) _____