

MAA INTERNATIONAL

CHILD SAFEGUARD POLICY



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1 INTRODUCTION

1.1 PURPOSE

MAA International (MAA) is committed to protecting children, regardless of gender, race, country of origin or religious belief. This policy statement formally expresses MAA's belief and commitment to protecting the rights of all children, which is in line with 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.

This Child Safeguard Policy (CSP) has been developed to provide a practical guide for all relevant personnel in MAA, volunteers, partners, subcontractors and service providers, in order to prevent any form of child abuse in MAA's aid and development programs. This policy will outline a range of risk management strategies that will be enforced and implemented to reduce the risk of children being harmed. MAA's CSP aims to:

- Demonstrate MAA's commitment to protect children from harm and abuse.
- Educate staff and others about child abuse and promote a child safe and a child friendly culture where everyone is committed to keeping children safe.
- 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.
- Provide guidance on how to respond to concerns and allegations of child abuse. It provides guidance to staff and others on how to work respectfully and effectively with children. This will ensure all stakeholders, including staff and others are working in a safe environment.
- Fulfil MAA's obligations to have policies and procedures implemented 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 (See Clause 2.6 of the ACFID Code of Conduct).
- Fulfil MAA's obligations to adhere to local and international child protection criminal laws, which prohibits the abuse and exploitation of children. These include local laws where MAA'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.

This policy sends a clear message that child exploitation and abuse is not tolerated in MAA and attracts disciplinary and commercial sanctions, as well as criminal penalties under Australian domestic and extra-territorial laws.

1.2 POLICY SCOPE

This policy applies to all business units and subsidiaries of MAA, and to all persons employed or engaged by MAA including the following personnel:

1.2.1 All Direct personnel and associates of MAA:

- Permanent, maximum term and casual staff
- Individual contractors and consultants
- Volunteers, interns & work-experience students.
- Board members
- Partners that have a formal/contractual relationship with MAA

1.2.2 All Indirect personnel engaged by MAA:

(People having contact with children for a period of one day or longer)

- Journalists and media personnel
- Photographers
- Donors Supporters
- Guest presenters
- Entertainers
- Visitors including the spouse/partner or family member of MAA personnel or associates

1.3 ROLES AND RESPONSIBILITIES

MAA seeks to involve appropriate personnel in all levels within the organisation including the board members and staff in the process of risk identification and establishment of practical strategies to ensure a firm approach to MAA's CSP.

1.3.1 Executive Management are responsible for:

- Ensuring that all MAA staff members, volunteers and contractors comply with all relevant legislation and MAA's CSP.
- Ensuring that all Partner Organisations and their board members, staff members, volunteers and contractors implementing aid and development programs funded by, or through, MAA comply with MAA's CSP.
- Ensuring the proper use of the Child Protection Risk Assessment at the design, implementation and monitoring and evaluation phase of MAA's aid and development programs, including documented risk treatments.

1.3.2 People & Organisation Development are responsible for:

- Assisting managers and supervisors with the construction of appropriate training and development programs, designed to aid compliance with this policy.
- Providing managers and supervisors and other staff members with support and assistance during any complaint or dismissal process.
- Managing the recruitment and selection process for all employees, interns and volunteers in accordance with the Recruitment and Selection Policy and this policy.
- Ensuring selection processes include relevant screening processes.
- Arranging and maintaining records of criminal record checks.

- Ensuring the Child Protection Risk Assessment is used in accordance with this policy. As Child Protection Officer, the People & Organisation Development Director will ensure all reports of child abuse or exploitation are; acted on immediately, are treated as strictly confidential, are managed according to procedural fairness principles in accordance with this policy.

1.3.3 Managers and supervisors are responsible for:

- Ensuring that they comply with all relevant legislation and MAA policies.
- Ensuring all MAA activities that involve children are safe and without unacceptable risks for children.
- Recognising and taking appropriate action to either report on or eliminate activities that pose an unacceptable risk to children.
- Communicating this Policy to all Partner Organisations, and ensuring that Partner Organisations communicate this Policy to their board members, staff, volunteers and contractors implementing aid and development activities funded by, or through MAA.
- Providing the CEO and People & Organisation Development Director with all information that relates to breaches or potential breaches of this policy.
- Seeking support and assistance from People & Organisation Development as required

1.3.4 All employees and volunteers are responsible for:

- Acting in the best interests of the health, safety and welfare of any child encountered during the delivery of MAA's activities or programs.
- Immediately reporting any concerns relating to child abuse by anyone covered by this policy.
- Completing criminal record check forms, as required.
- Complying with the Child Protection Code of Conduct, as required.

1.4 LEGISLATIVE AND REGULATORY CONTEXT

MAA ensures that it complies with and implements all relevant International, Australian Commonwealth and state and territory laws to ensure the protection of children.

1.4.1 International

- The United Nations Convention on the Rights of the Child
- Geneva Declaration of the Rights of the Child

1.4.2 Federal Legislation

- Criminal Code Act 1995
- Crimes Act 1958

1.4.3 State Legislation

- New South Wales: The Children and Young Persons (Care and Protection) Act 1998
- Australian Capital Territory: Children and Young Persons Act 1999
- Northern Territory: The Community Welfare Act

- Queensland: The Child Protection Act 1999
- South Australia: Children's Protection Act 1993
- Tasmania: Children, Young Persons and Their Families Act 1997
- Victoria: Children, Youth and Families Act 2005; The Child Wellbeing and Safety Act 2005
- WA: Children and Community Services Act 2004

1.4.4 Australian Council for International Development

- ACFID Code of Conduct

1.5 DEFINITIONS

The following terms are used in this policy document and are defined as follows:

- **Child Safeguard:** Safeguarding means protecting peoples' health, wellbeing and human rights, and enabling them to live free from harm, abuse and neglect. This means protecting people, particularly children and vulnerable adults, from harm that arises from engaging with our staff or programs.

Child Safeguarding describes the specific actions that are taken to promote the welfare of children and protect them from harm. This encompasses protecting children from abuse and maltreatment, preventing harm to children's health or development, and ensuring children grow up with the provision of safe and effective care that enables them to have optimum life chances and enter adulthood successfully.

- **Duty of Care:** This is a common law concept that refers to the responsibility of the organisation to provide children with an adequate level of protection against harm. It is the duty of the organisation to protect children from all reasonably foreseeable risk of injury.
- **Child and young person:** A child or young person is regarded to be any person under the age of 18 years, unless a nation's laws recognise adulthood earlier.
- **Child Protection:** Is the term used to describe the responsibilities and activities undertaken to prevent or stop children being abused or maltreated.
- **Child Abuse:** Abuse happens to male and female children of all ages, ethnicity and social backgrounds, abilities, sexual orientation, religious beliefs and political persuasion. Child abuse includes physical, sexual, emotional, neglect, bullying, child labour and domestic violence. Both boys and girls can be the victims of abuse, and abuse can be inflicted on a child by both men and women, as well as by young people themselves. In some cases, professionals and other adults working with children in a position of trust also abuse children.
- **Physical abuse:** This 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. 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.

- **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.
- **Sexual abuse:** This 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 threats and exposure to pornography.
- **Bullying:** Is the inappropriate use of power by an individual or group, with an intent to injure either physically or emotionally. It is usually deliberate and repetitive. The bullying may be physical or psychological (verbal and non-verbal). Physically, bullying includes pushing, hitting, punching, kicking or any other action causing hurt or injury. Verbal bullying includes insults, taunts, threats and ridicules. Psychological bullying includes physical intimidation and ostracism.
- **Domestic violence** occurs when children and young people witness or experience the chronic domination, coercion, intimidation and victimisation of one person by another by physical, sexual or emotional means within intimate relationships. (adapted from the Australian Medical Association definition)
- **Particularly vulnerable children:** Child abuse takes place not only within the family environment, but also outside the family, including institutions, at work, on the streets, in war zones and 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.

1.6 HOW TO USE THIS POLICY

Section 1 of this document explains the purpose and scope of this policy. This section also identifies the important legal regulations and recognized codes of conduct that was used in developing this policy. Significant roles and responsibilities all MAA personnel as well as definitions have also been described in this section.

Section 2 of this document explains the guiding principles used in the development of MAA's CSP. This section provides all necessary procedures that must be undertaken to ensure the effectively protect the rights and safety of children within MAA's programs. This section details the necessary reporting procedures in the case of breach of this policy.

ANNEX: this section contains MAA's Child Safeguard Code of Conduct, Use of Children's images and an initial incident reporting form respectively.

2 POLICY & PROCEDURES

2.1 GUIDING PRINCIPLES

MAA believes that any form of child abuse and exploitation is unacceptable and will not be tolerated. The following statements guide MAA's CSP procedures:

- (a) Zero tolerance of exploitation, abuse and harassment: MAA prohibits all forms of exploitation, abuse and harassment against children and adults. We recognise our duty of care to take all reasonable steps to ensure all people are kept safe from harm. The abuse, exploitation or harassment of any person, particularly children and vulnerable adults, will attract civil, criminal and disciplinary action. Fundamental principle of the Convention is that children have their own indivisible rights.
- (b) Zero tolerance of inaction: It is mandatory for all persons within the scope of this policy to report any Safeguarding concerns or allegations or breaches of the Safeguarding policy. Reports of Safeguarding incidences often increase as people become better informed and attitudes change, as safeguards improve and as reporting procedures become more accessible and embedded. The reporting of incidents may therefore indicate that Safeguarding risks and incidents are being properly managed. Zero tolerance to inaction therefore does not mean zero reports, but rather means that every report or allegation is acted upon.
- (c) Strong leadership to promote Safeguarding: The leadership of MAA is committed to ensuring that Safeguarding becomes central to the culture of the organization. Leaders are expected to model positive behaviours, set clear expectations for the organisation and support survivors and/or whistle-blowers to feel safe when reporting unacceptable behaviour. MAA recognises the importance of a diverse and inclusive organisation in Safeguarding, especially in leadership roles. This is embedded through strong human resources policies, inclusion of Safeguarding as an agenda item at Board meetings, the appointment of Safeguarding focal points and promoting gender equality in senior roles.
- (d) Victim/survivor-centred approach: Any actions taken to address Safeguarding must adopt a 'do-no-harm' approach that prioritises the rights, wishes and needs of the victim/survivor while ensuring procedural fairness to all parties. In all actions concerning children, the best interests of the child must be the primary consideration. A survivor-centred approach means:
 - Treating the victim/survivor with dignity and respect
 - Ensuring the immediate safety and protection needs of the victim/survivor are met as far as possible
 - Involving the victim/survivor in decision making
 - Providing the victim/survivor with comprehensive information throughout any response or investigation
 - Practicing non-discrimination on the basis of gender, age, race/ethnicity, ability, sexual orientation, or other characteristics

- Considering the need for counselling and health services to assist the victim/survivor with their recovery
 - Protecting privacy and confidentiality, and promoting fair and expedient reporting and investigation
- (e) Promoting gender equity, child rights and minimising power imbalances: MAA recognises that where there are significant power imbalances at play (based on inequities relating to gender, age, ability, authority, social and economic status) the potential for exploitation, abuse and harassment is increased. This is particularly true where one or more drivers of inequality intersect (for example gender and disability). MAA is committed to engaging with all people, particularly primary stakeholders, with respect for diversity, the promotion of gender equality, social inclusion and a commitment to ‘do-no-harm.’ Where programs work with children or vulnerable adults, spaces for participation and feedback must be built into program design.
- (f) Robust risk management: MAA is committed to robust Safeguarding risk management. While it is not possible to eliminate all risks, MAA is committed to identifying, mitigating and managing risks in all activities (see the ‘Risk Management’ section below).
- (g) Safeguarding is a shared responsibility: Safeguarding is the responsibility of all staff, partners and others engaging in work or actions relating to MAA. Genuine change requires collaboration, and MAA is committed to working with all stakeholders to improve their capacity to prevent, report, and respond to Safeguarding concerns.
- (h) Strong reporting for improved accountability and transparency: MAA is accountable to our primary stakeholders and their communities, our staff, partners, donors and all those who come into contact with our organisation. Strong reporting leads to better monitoring, improved understanding of risk, and improved safeguards.

2.2 SAFEGUARD RISK MANAGEMENT

MAA adopts a risk-based, proportional approach to safeguarding of children and adults. MAA assesses the level of risk at the activity level through its Risk Management Tool. It then builds safeguarding risk management into its broader risk management approaches via the Risk Framework. These risks are monitored regularly to ensure risk management approaches are adequate.

MAA assesses and mitigates safeguarding risks in the physical environments under its control, including offices. If MAA staff are aware of any person (other than staff or others as defined in this policy’s Scope) attending any MAA activities who poses a risk to children or vulnerable adults, MAA will manage this risk appropriately.

Managing Risk of Sexual Exploitation, Abuse and Harassment (SEAH) of adults

All activities are assessed for potential risk of SEAH occurring. Activities considered higher risk (for example activities that require staff to travel or work remotely, or activities working with vulnerable populations) are required to have more stringent safeguards in place. As MAA is a DFAT accredited

agency, these safeguards must include the proportionate application of DFAT’s PSEAH minimum standards as required by the risk-level.

Managing Child Safeguard Risk

All activities are assessed for potential Child Safeguarding risks. Programs classified as ‘contact with’ or ‘working with’ children are considered higher risk, and therefore require more stringent Safeguarding procedures. Programs that work directly with children who may have additional indicators of vulnerability including children in institutional care, children with disability, children from culturally and linguistically diverse backgrounds, Indigenous children such as those of Aboriginal and Torres Strait Islander descent, LGBTI children, children who are unable to live at home, and children in conflict or disaster affected areas should be considered higher risk. However, as children are part of every community in which we work, we are always mindful of potential risks. Risks are monitored and managed at all stages of an activity or project. As MAA is a DFAT accredited agency, safeguards must include the proportionate application of DFAT’s Child Safeguarding minimum standards as required by the risk-level.

Managing Child Safeguarding Risk

All activities are assessed for potential Child Safeguarding risks. Programs classified as ‘contact with’ or ‘working with’ children are considered higher risk, and therefore require more stringent Safeguarding procedures. Programs that work directly with children who may have additional indicators of vulnerability including children in institutional care, children with disability, children from culturally and linguistically diverse backgrounds, Indigenous children such as those of Aboriginal and Torres Strait Islander descent, LGBTI children, children who are unable to live at home, and children in conflict or disaster affected areas should be considered higher risk. However, as children are part of every community in which we work, we are always mindful of potential risks. Risks are monitored and managed at all stages of an activity or project. As MAA is a DFAT accredited agency, safeguards must include the proportionate application of DFAT’s Child Safeguarding minimum standards as required by the risk-level.

2.3 EXTENSION TO PARTNERS

We recognise that Partners play a valuable role in consulting with communities, raising awareness of the policy and responding to complaints and concerns. Partners’ networks are also vital in establishing referral pathways for victim/survivors. MAA is committed to strengthening and learning from our Partners’ Safeguarding Practices through ongoing training and capacity building.

All MAA implementing partner representatives involved in the delivery of MAA activities (including but not limited to the governing body, staff, volunteers and visitors) are included in the scope of this policy. Compliance with this policy and related recruitment and reporting requirements are included in all Partnership Agreements with implementing partners. A copy of this policy is provided to all partners prior to signing the Agreement.

All implementing partners are required to have an equivalent Safeguarding policy, Code of Conduct and reporting procedures that meet the standards outlined within the MAA policy and that are consistent with the ACFID Code of Conduct, DFAT’s Child Protection and PSEAH Policies & Minimum Standards. The CEO or equivalent must appoint at least one focal point. If this focal point is in a senior management role, the CEO must appoint a second focal point. Focal points report to the implementing partner’s CEO or Director.

If MAA partners or staff work with downstream partners, our partners or staff must ensure that these downstream partners have a Safeguarding Policy that aligns with the MAA Policy. If they do not, our partners or staff must ensure that downstream partners sign an agreement stipulating that staff working on any MAA funded project must adhere to MAA Safeguarding Policy. This is a requirement within our Partnership Agreement.

Partners’ Safeguarding policies and procedures are appraised through the Organisational Capacity Assessment. Where a partner does not have equivalent policies and procedures in place, MAA will work with the Partner to develop and operationalise their own documents that meet the above standards. All partner representatives working directly on the MAA funded activity are required to read, sign and uphold the policy and the organisation must comply with these standards until an equivalent Partner policy can be developed.

MAA undertakes a safeguarding risk assessment at the Partner level and actively monitors Partners’ compliance with the Safeguarding policy via project reports, regular monitoring visits and annual compliance assessments. Failure to respond to or correct serious or ongoing breaches of the Safeguarding policy may be cause for suspension or termination of the partnership agreement.

2.4 IMPLEMENTATION PROCEDURE OF CSP AND CODE OF CONDUCT

The Policy does not need to be signed by people engaged by MAA for less than one day, and/or who will have no contact with children. These people must be made aware of the Policy, MAA’s child safeguard standards and be supervised by an MAA staff member at all times.

The Child Safeguard Policy and Code of Conduct will be implemented through: -

- (a) Read, understand and adhere to the Child Safeguard Implementation Guidelines – an Australian and International version of the Guidelines are available on the MAA Intranet. A hard copy is available in each office. The Guidelines provide procedures, practical tools and templates as well as detailed information to implement the Policy and Code of Conduct.
- (b) Read, understand and adhere to MAA’s Child Safeguard Code of Conduct (Annex A) all personnel, associates and representatives of MAA are required to sign the Policy and Code of Conduct (outlines acceptable and unacceptable behaviour in relation to children. A breach of the Code may result in termination of employment) agreeing to comply with the principles and

standards they contain. All personnel are encouraged to discuss this Policy and Code of Conduct at the commencement of their employment/engagement with MAA if they have any questions or concerns. Personnel should contact the Compliance Manager to do this.

- (c) Reporting of alleged or suspected cases of child abuse – all personnel, associates and representatives of MAA must report any concerns they have for the safety or wellbeing of a child. Reports will be handled professionally, confidentially and as quickly as possible and will meet country, state or territory specific legislative requirements. Any person who intentionally makes a false allegation or malicious allegation will face disciplinary action.
- (d) Read, understand and adhere to MAA’s Child Safeguard Risk Management – effective child abuse prevention strategies will be incorporated in all MAA program designs, activities and emergency responses.
- (e) Understand and implement MAA’s Recruitment of personnel and associates management practices – prospective and current personnel will be screened and monitored to ensure the organisation does not employ, engage or retain people who pose an unacceptable risk to children.

2.5 RECRUITMENT AND SCREENING PROCEDURES

Recruitment and screening of personnel and associates must reflect MAA’s commitment to protect children by ensuring checks and procedures are in place to screen out anyone who may be unsuitable to be in contact with children and young people and attract the safest people who share MAA’s values and commitment to protecting children.

This Policy commits MAA to preventing a person from working with children if they pose an unacceptable risk to children.

All employment contracts must contain provisions for dismissal, suspension or transfer to other duties for any personnel who breaches the Child Safeguard Policy and Code of Conduct.

MAA has a robust recruitment and screening process for all personnel and associates, which are strictly implemented. These are:

- (a) Criminal history check prior to engagement
- (b) Child protection interview question
- (c) Two verbal reference checks - including question relating to the applicant’s general conduct. One reference must be from the person’s current or most recent employer
- (d) Sign the Child Safeguard Policy and Code of Conduct prior to engagement
- (e) Once engaged, attend a Child Safeguard Policy training session.

Additional procedures for those working with children or having access to child sensitive data include:

- (a) Targeted/behavioural based interview questions used to determine attitudes, motivations, and values in regards to children and young people and working with them.

- (b) Reference check to include questions regarding any concerns about candidate's conduct when working or interacting with children and young people
- (c) These procedures must be evidenced by:
 - i. Documented criminal record checks for personnel and associates in contact with children
 - ii. Documented verbal referee checks
 - iii. Interview plans incorporating behavioural-based interview questions that are specific to positions that involve working with children
 - iv. Documented request for an applicant to disclose whether they have been charged with child exploitation offences and their response.

2.6 CSP TRAINING PROCEDURE

The following training plan must be implemented: -

- 1- All permanent, maximum term and casual staff and Board Members of MAA must attend a Child Safeguard Policy training session within six months from the commencement of their employment or appointment.
- 2- All permanent, maximum term, casual staff and Board Members of MAA should attend a refresher Child Safeguard Policy training session every two years.
- 3- All other personnel and associates of MAA must be provided with an induction on the Policy and Code of Conduct
- 4- International MAA Field Partners who do, or may, have direct contact with children are inducted with MAA's CSP through inductions/workshops- which may be held either face-to-face or by Skype or phone conference - at which this Policy, its importance and consequences of non-compliance, will be presented to the Partner Organisation's executive and relevant staff, volunteers and contractors.

2.7 SPONSORSHIP AND NON-STAFF VISIT PROCEDURES

Notice of interest to visit children under an MAA Orphan Aid Program by a non-staff visitor must be given to MAA no less than 2 months prior to the intended visit date.

In order to ensure all reasonable precautions are taken to protect children, MAA will ensure compliance with all visit requirements prior to authorizing a non-staff visitor to visit a child.

These requirements will include the completion of all necessary forms requested by MAA as well as full identification details to enable us to compile a police background report. MAA recognises the need to implement specific guidelines to manage the child protection risks within its sponsorship programs. The following guidelines and procedures must be implemented and followed by all sponsors who take part in sponsorship programs which may involve contact with child/ren:

- (a) Letters which contain political or religious comments, which could cause offence or be inappropriate, are not permitted
- (b) All sponsors will receive clear child protection and behavioural guidelines upfront
- (c) All visits should be arranged in advance through our office and sponsors interviewed
- (d) Sponsors inform the agency at least 3 months in advance
- (e) Police checks are required for visiting sponsors and any accompanying family members
- (f) All visiting sponsors will sign the Child Safeguard Policy
- (g) Partner agency staff will be present at all times during the visit
- (h) Children should not be invited to leave or be taken away from their communities
- (i) Invitations to the sponsor's country are not allowed
- (j) Sponsors will be interviewed before each visit
- (k) All gifts and correspondence will be screened by the agency
- (l) Sponsors and sponsored families should not exchange mailing addresses during visits
- (m) After every visit a report will be sent to the head office
- (n) All visits will be monitored
- (o) Where sponsors go against policies the organisation can bring sponsorship to a close

MAA has the right to reject or cancel a non-staff visit if the information received is incomplete or insufficient or if the police background report contains information which may disqualify the visitor to visit a child.

Furthermore, non-staff visitors must respect the dress standards of other cultures and while visiting, must dress appropriately as to avoid offence. Jewellery or any other expensive possessions should not be worn or taken while visiting as to avoid damaging effects.

When a non-staff visitor arrives unannounced at one of our partner or field offices, he/she will **not** be granted the automatic right to visit a child/children and he/she will be deemed 'unauthorized'.

2.7.1 Guideline on Gifts

MAA understands that it can be a great feeling to give a child a gift of things they probably can never afford. As this may brighten the day of one child, it will bring sadness to all the others.

MAA does not authorize a non-staff visitor under any circumstances to give a gift of any sort directly to a child.

A non-staff visitor may alternatively like to contribute financially or in kind towards the field office or partner NGO who is caring for the child.

2.8 REPORT HANDLING PROCEDURE

The Child Protection Reporting Process must be followed when reporting a concern for the safety or wellbeing of a child or a breach of this Policy and/or Code of Conduct.

MAA 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.

Where required, an internal investigation will be conducted in regards to a report being made. In most cases the investigation will be conducted by the Compliance manager or the CEO.

MAA must immediately notify the Department of Foreign Affairs and Trade (DFAT), Child Protection Compliance Section, if any DFAT Australian Aid funded personnel, or DFAT Australian Aid partner personnel, are accused of, charged with, arrested for, or convicted of criminal offences relating to child exploitation and abuse. These reports must be immediately reported to the CEO.

Children and young people, parents/guardians and community members involved in MAA's programs or activities should be informed on how to raise a concern about their safety or wellbeing or that of another child. This can be done verbally or in written form. Personnel and associates must inform their Manager if they believe they or a member of their family may be at risk of harm for making or being part of making a child protection report.

2.9 CHILD PROTECTION IMPLEMENTATION STRATEGY AND REPORTING PROCEDURES

The Child Protection Reporting Process for Internal or External incidences must be followed when reporting a concern for the safety or wellbeing of a child or a breach of this Policy and/or Code of Conduct.

MAA 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.

Where required, an internal investigation will be conducted in regards to a report being made. In most cases the investigation will be conducted by the Compliance manager or the CEO. Reporting of any breach of this policy and Code of Conduct is critical (See Annex 2 for initial report incidence form)

MAA must immediately notify the Department of Foreign Affairs and Trade (DFAT) Child Protection Compliance Section if any DFAT Australian Aid funded personnel, or DFAT Australian Aid partner personnel, are accused of, charged with, arrested for, or convicted of criminal offences relating to child exploitation and abuse. These reports must be immediately reported to the CEO.

Children and young people, parents/guardians and community members involved in MAA's programs or activities should be informed on how to raise a concern about their safety or wellbeing or that of another child. This can be done verbally or in written form. Personnel and associates must inform their Manager if they believe they or a member of their family may be at risk of harm for making or being part of making a child protection report

2.9.1 Child Protection Internal Reporting Procedure

The following procedure should be followed for reports concerning an alleged breach of the Child Safeguard Policy and/or Code of Conduct, allegations or suspicions of child abuse having been

committed, or concerns/information about the actions or behaviour of MAA, associates or representatives.

| | |
|--------------------------|---|
| WHO CAN REPORT | <ul style="list-style-type: none"> • Child or Young person • Parents/guardians/ Community members • Personnel, associates or Representatives of MAA |
| WHAT TO REPORT | <ul style="list-style-type: none"> • Allegations, suspicions, disclosures or observations of child abuse committed by personnel, (Annex 2) • associates or representatives of MAA or • Concerns about the action or behaviour of personnel, associates or representatives of MAA that has harmed or put a child at risk of harm or • Suspected or confirmed breaches of the CP Policy and/or Code of Conduct by personnel, associates or representatives of MAA or • Information received of criminal proceedings being undertaken in regards to child exploitation and abuse against personnel, associates or representatives of MAA. |
| WHEN TO REPORT | <ul style="list-style-type: none"> • Immediately or as soon as it is practically possible |
| WHO TO REPORT TO | <ul style="list-style-type: none"> • Compliance Manager/ CEO • Child exploitation and abuse allegations, criminal proceedings undertaken or serious and/or repeated breaches of the Policy and Code immediately reported to the Compliance Manager or CEO |
| WHAT WILL HAPPEN | <ul style="list-style-type: none"> • Assessment of severity of the report by Compliance manager or CEO • CEO will report child exploitation and abuse allegations and any criminal proceedings to MAA International and DFAT as required • All parties' safety needs must be assessed and responded to including the child/ young person/ family members/ person against whom the report is made/ personnel and associates |
| POSSIBLE OUTCOMES | <ul style="list-style-type: none"> • Meetings to discuss breach and opportunity for person to provide their account/understanding of the situation • Performance Management • Further education on the CP Policy and Code of Conduct • Formal warning and monitoring • Transfer to other duties • Suspension pending investigation • Internal and/or criminal investigation • Report to Police • Dismissal |
| FOLLOW UP | <ul style="list-style-type: none"> • Feedback to be given where possible to those directly involved or affected, protecting confidentiality and privacy. Debriefing/counselling to be offered, if needed |

2.10 CHILD PROTECTION EXTERNAL REPORTING PROCESS

This Process should be followed for reports concerning the safety or wellbeing of a child or young person involved in MAA programs or in the community.

| | |
|--------------------------|--|
| WHO CAN REPORT | <ul style="list-style-type: none"> • Child or Young person • Parents/guardians/ Community members • Personnel, associates or Representatives of MAA |
| WHAT TO REPORT | <ul style="list-style-type: none"> • Allegations, disclosures or observations of child abuse or concerns for the safety or wellbeing of a child or young person. (Annex 2) |
| WHEN TO REPORT | <ul style="list-style-type: none"> • Within 24 hours or as soon as practically possible - if after hours and a child is at serious risk of harm, immediately report to the local child protection statutory authority or police. |
| WHO TO REPORT TO | <ul style="list-style-type: none"> • Project Manager/CEO |
| WHAT WILL HAPPEN | <ul style="list-style-type: none"> • Meeting (team meeting) to discuss further action • CEO contacted for further advice or to report a high risk/complex report |
| POSSIBLE OUTCOMES | <ul style="list-style-type: none"> • Report made to child protection statutory authority/government department • Report made to community-based child protection committee or similar • Report made to Police • Referral made to local support/counselling organisation or service • All parties' safety needs must be assessed and responded to – child/young person/family members/person against whom the report is made/personnel, and associates |
| FOLLOW UP | <ul style="list-style-type: none"> • Feedback to be given where possible to those directly involved or affected, protecting confidentiality and privacy. Debriefing/counselling to be offered, if needed. |

2.11 MEASURES REGARDING BREACH OF CODE OF CONDUCT

The following measures will be applied in the case where any personnel, associate or representative breaches MAA's CSP and/or Code of Conduct:

- (a) Meeting to discuss breach and opportunity for person to provide their account/understanding of the situation
- (b) Performance management
- (c) Further education on the Child Safeguard Policy and Code of Conduct

- (d) Formal warning and monitoring
- (e) Transfer to other duties
- (f) Suspension pending investigation
- (g) Internal investigation
- (h) Report to Police
- (i) Dismissal

These measures will apply alongside any criminal investigation, where relevant.

2.12 INVESTIGATION

2.12.1 Investigating Breaches of the Safeguarding Policy

Concerns that constitute a breach of the MAA Code of Conduct that do not constitute a criminal offence will be dealt with as a disciplinary matter in line with the Performance Management Policy. Depending on the severity of the breach, the employee may be suspended or transferred to other duties for the duration of the investigation.

2.12.2 Investigating alleged criminal misconduct that cannot be reported to police

If the victim/survivor does not wish to report to the police, MAA must respect their wishes. In this instance, the Safeguarding committee has the option of engaging an external independent investigator to undertake a balance of probability assessment. If the incident occurs within a partner organisation, the investigation may need to be undertaken at the cost of the partner. The employee under investigation will be suspended from duties for the duration of the investigation. MAA Performance Management Policy provides further guidelines on undertaking investigations. If the report finds that the balance of probabilities indicate that misconduct did take place, the disciplinary procedures set out in the Performance Management Policy will be followed (or the Partner equivalent if the incident occurred within a partner organisation). If the report is inconclusive, the matter will be taken up by the Safeguarding committee for a final decision.

2.12.3 Implementing Partner Investigations

If the alleged incident or breach occurs within a Partner organisation, MAA will work with the Partner to manage the investigation in-line with their internal investigation procedures and develop an action plan to prevent similar breaches moving forward. Where a serious breach has occurred and the organisation does not take the necessary steps to address it, this may be cause for the suspension or termination of the partnership agreement.

3 REVISION HISTORY

| Document version details | |
|--------------------------|---------------------------------|
| Version identifier: | V2.1 |
| Date amended: | 31 December 2025 |
| Approved by CEO: | Ahmad Malas |
| Review date: | 31 December 2026 or as required |

ANNEX 1 CHILD SAFEGUARD CODE OF CONDUCT

Staff members 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 a violation of the professional relationship. All staff should conduct themselves in a manner consistent with their role as an MAA representative and a positive role model to children. MAA has developed a child safeguard code of conduct to protect children, staff and the organisation by providing clear behavioural guidelines and expectations. MAA's child safeguard code of conduct includes:

General Safeguarding Behaviours

I WILL:

- (a) Conduct myself in a manner that is consistent with the values of MAA and the Child Safeguarding Policy.
- (b) Maintain a professional role and establish clear professional boundaries that serve to protect everyone from misunderstandings or a violation of the professional relationship.
- (c) Model appropriate behaviours to ensure a positive culture of respect is maintained.
- (d) Be aware of and respect the cultural differences, sensitivities, and expectations of the communities in which we work, and refrain from any form of behaviour that would be deemed inappropriate in that setting.
- (e) Provide a welcoming, inclusive, trusted, and safe environment for all children, young people, parents, staff and volunteers that promotes the implementation of this Policy.
- (f) Be aware that sexual behaviour is an area of particular sensitivity, where conduct may more easily be seen as offensive or be misinterpreted.
- (g) Comply with the guidelines on the use of images.
- (h) Take responsibility for ensuring I am accountable and do not place myself in positions where there is a risk of allegations being made.
- (i) Be transparent in my actions and whereabouts.
- (j) Speak up when I observe concerning behaviours of colleagues
- (k) Immediately report any concerns of behaviour that contradicts the standards of behaviour outlined in the Code of Conduct.
- (l) Follow the reporting processes below to report and/or respond to concerns in relation to safeguarding.
- (m) Comply with all relevant Australian and local legislation, including labour laws in relation to child labour.
- (n) Immediately disclose all charges, convictions and other outcomes of an offence that relates to child exploitation and abuse, or sexual, exploitation abuse and harassment, including those under traditional law, which occurred before or occurs during association with MAA.

I WILL NOT:

- (o) Use any communication device including computers, mobile phones, video cameras, cameras or other technology inappropriately, or to sexually exploit or harass adults or children, or access or disseminate exploitative material through any medium, including social media.

Child Safeguard Behaviours

I WILL

- (p) Treat all children and young people in our program with respect.
- (q) Use appropriate language and communication with children at all times.
- (r) 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.
- (s) Self-assess my behaviours, actions, language and relationships with children.
- (t) Conduct one-on-one interactions with children in either an open space or line of sight of another adult.

I WILL NOT

- (u) Engage in behaviour that is intended to shame, humiliate, belittle or degrade children.
- (v) Use inappropriate, offensive or discriminatory language when speaking with a child or young person.
- (w) Do things of a personal nature that a child can do for him/herself, such as assistance with toileting or changing clothes.
- (x) Take children to their own home/hotel or sleep in the same room or bed as a child.
- (y) Smack, hit or physically assault children or use any form of physical punishment.
- (z) Supply children with alcohol or drugs or take alcohol or drugs in the course of delivering MAA activities.
- (aa) Develop sexual relationships with children or relationships with children that may be deemed exploitative or abusive (even in a country where the age of majority or the age of consent is lower than 18 years).
- (ab) Behave provocatively or inappropriately with a child.
- (ac) Condone or participate in, behaviour of children that is illegal, unsafe or abusive.
- (ad) Act in a way that shows unfair and differential treatment of children.
- (ae) Photograph or video a child without the consent of the child and his/her parents or guardians.

- (af) Hold, kiss, cuddle or touch a child in an inappropriate, unnecessary or culturally insensitive way.
- (ag) Seek to make contact and spend time with any child or young person outside the program times.
- (ah) Hire minors as domestic labour or any other form of 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.
- (ai) Provide gifts to children participating in Mary MacKillop Today programs.
- (aj) Use online environment to access inappropriate sites such as child pornography.

Prevention of Sexual Exploitation Abuse & Harassment Behaviours

I WILL

- (ak) Immediately inform my line manager if I become engaged in a personal relationship which may be perceived as inappropriate or sexually exploitative; and/or where real or perceived unequal power dynamics exist e.g. if there is a reporting relationship; and/or if I am unsure if my relationship falls into this (SEAH) category.

I WILL NOT

- (al) Engage in sexual relationships with program participants or beneficiaries as such relationships are based on inherent power imbalances which have high risk of exploitation.
- (am) Use my position of trust and/or authority to request any service or sexual favour from partners or beneficiaries of Mary MacKillop Today programs, be they adults, children or others in the communities in which Mary MacKillop Today works, in return for protection or assistance; and/or coerce a person to engage in sexual intercourse or any sexual activity.
- (an) Exchange or withhold, from beneficiaries of MAA programs, funds services or support of any kind for sex or sexual favours or other forms of humiliating, degrading or exploitative behaviour.
- (ao) Engage in transactional sex when travelling for or undertaking MAA business even if it is legal in that respective state or country.
- (ap) Use MAA or partner organisation facilities, personnel or resources for the purpose of arranging or facilitating access to sex workers by any person, including visitors to MAA offices or programs.
- (aq) Procure sex for others or use a third party to do so.

(ar) If I am a non-national staff person, fraternise with in-country staff or partners while engaged in any work or actions related to MAA.

I, _____ (Full name as shown on photo ID) as undersigned below, have read and understood and hereby agree to abide by this Child Safeguard Policy and Child Protection Code of Conduct.

Signature: _____

Date _____.

ANNEX 2 INITIAL INCIDENT REPORTING FORM

| | |
|--|--------------------------------|
| Name of reporting staff/volunteer/partner | |
| Name of Senior Staff member onsite | |
| Name of impacted child/ren or persons | |
| Date and Time of incident | |
| Time of report | |
| Location of Incident | |
| Description of incident | |
| Has this incident been reported to the Child Protection Officer? | Name of CPO: Time reported: |
| Signature of reporting staff/volunteer/partner: | Date: |
| Signature of senior staff/volunteer/partner: | Date: |
| Signature of Child Protection Officer | Date: |
| Other Notes: | |

ANNEX 3 CHILD SAFEGUARDING CHECKLIST

The Child Protection Procedures require that the Board of MAA must undertake a review of its Child Protection and Child Safeguarding Policies and that the following checklist shall be used for this purpose. The review must be completed every year or as soon as practicable after there has been a material change in any matter to which the Child Protection and Child Safeguarding Policies refer.

The checklist is designed as an aid to conducting this review and is not intended as an exhaustive list of the issues to be considered. Individual Boards of Management shall include other items in the checklist that are of relevance to the school in question. It is also desired to ensure MAA Child Protection policy and Child Safeguarding Policy are to meet the 9 minimum child protection standards prescribed by DFAT:

| | Yes/No |
|--|--------|
| A. MAA Child protection policy: | |
| 1. Does our policy have a definition of a child? | |
| 2. Does the scope of the policy to cover all relevant positions, such as the CEO, board members, staff, contractors, volunteers, interns? | |
| 3. Does the scope of the policy to cover adequately field partner and sub-contractors? | |
| 4. The reporting procedure for child exploitation and abuse suspicions or allegations, code of conduct or policy non-compliance, and sanctions that would be applied in the event of breaches. | |
| 5. Commitment to immediately report the above to DFAT in cases where DFAT funding is involved | |
| 6. Commitment to providing child protection training for personnel at induction and regularly thereafter depending on risk profile | |
| 7. Commitment to preventing a person from working with children if they pose an unacceptable risk to children | |
| 8. Does child protection/safeguard policy have a risk management approach? | |
| 9. Is the policy dated or does it have a review date included? It will be annual reviewed. | |
| B. MAA child safeguarding procedures in place that fully comply with DFAT's Child Protection Policy and all of its 9 minimum standards. | |
| 10. Minimum standard 1: MAA has a child protection policy. | |
| 11. Minimum standard 2: MAA has documented reporting procedures which are known by personnel and partners and are applied in practice and cover/include: <ul style="list-style-type: none"> • child exploitation and abuse suspicions and/or allegations • non-compliance with the code of conduct or policy | |

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| <ul style="list-style-type: none"> • sanctions that are/would be applied in the event of breaches • immediate reporting to DFAT where DFAT funds are involved • contact information to enable an external person to report. | |
| 12. Minimum standard 3: MAA provides child protection training (which includes its reporting procedures) for its staff members. | |
| 13. Minimum standard 4: MAA is committed to preventing a person from working with children if they pose an unacceptable risk to children. This commitment is included in MAA’s child protection policy. | |
| 14. Minimum standard 5: MAA’s child protection policy is regularly reviewed, at least every 5 years. | |
| 15. Minimum standard 6: MAA undertakes risk assessments of all activities (not just at a program or organisational level). Risk assessments include identification of risks and outline mitigation measures and are regularly re-assessed. | |
| 16. Minimum standard 7: MAA’s employment contracts contain provisions for suspension or transfer to other duties of any employee who is under investigation and provision to dismiss any employee after an investigation. | |
| 17. Minimum standard 8: MAA has robust recruitment screening processes including: <ul style="list-style-type: none"> • criminal record checks and verbal reference checks for ‘contact with children’ positions prior to engagement (bb) • additional screening measures such as behavioural-based interview questions for working with children’ positions. (cc) Checks must be 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. | |
| 18. Minimum standard 9: MAA has a documented Code of Conduct that meets DFAT requirements at a minimum (see Attachment A to DFAT’s CP policy) and is known to MAA’s personnel. | |
| C. MAA has controls and procedures to ensure implementing partners have compliant child protection policy and practices. MAA engages with and supports its implementing partners to have good child protection practices. At a minimum, MAA: | |
| 19. Has knowledge of their partners’ child protection capacity and practices. | |
| 20. Has knowledge of which of their partners’ have ‘contact with’ or are ‘working with’ children. | |
| 21. Ensures that partners have their own child protection policy or formally adopts and understands the MAA’s child protection policy. | |
| 22. Undertakes and shares child protection risk assessments with partners or ensures that partners are undertaking child protection risk assessments of all activities. | |
| 23. Provides child protection training and support to partners where required to improve their child protection practices. | |

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| D. MAA undertakes periodic assessments of its own and its implementing partners' child protection practices. MAA undertakes a systematic and documented assessment of its own and its implementing partners' child protection practices on a regular basis. The assessment process: | |
| 24. Includes all the practices listed in indicators A, B, C above. | |
| 25. Is undertaken at regular and clear points in time - periodicity to be determined by MAA depending on variables such as risk, inclusion of additional or different activities, change in partner capacity etc. | |
| 26. Uses a systematic approach i.e. an assessment against a list of criteria or standards. | |
| 27. Is documented. | |