



1. Title of Policy

MITGF Child Protection Policy.

2. Introduction

MIT Group Foundation Ltd (MITGF) is a not-for-profit, non-governmental organisation and a registered Australian Charity with the Australian Charities and Not-for-profits Commission (ACNC). MITGF undertakes activities that fall within the scope of its objects including relief and development activities in developing countries.

3. Statement on commitment to child protection

MITGF is committed to the safety and wellbeing of all children and to the protection of children from harm, abuse and exploitation.

We affirm the rights of children to be protected from abuse and exploitation as stated in the United Nations Convention on the Rights of the Child (UNCRC) and MITGF will uphold these rights.

MITGF takes its duty of care seriously and will aim at all times, in undertaking any activities in which children may be involved, to take steps to ensure that children are protected from any harm, abuse and exploitation.

4. Purpose of the Policy

This Policy has been developed to provide a practical guide to ensure that the rights of children are protected in carrying out any relief and development programs. It demonstrates MITGF's commitment to protect children from harm, abuse and exploitation. The Policy aims to educate all MITGF's personnel and others, including partner organisations, about child abuse and promote an environment and culture where everyone is committed to keeping children safe.

The Policy provides guidance on how to respond to concerns and allegations of child abuse by creating an open 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.

MITGF acknowledges and adopts the obligations under the ACFID Code of Conduct, which requires organisations to have policies and procedures which promote the safety and wellbeing of all children accessing its services and programs, in particular to minimise the risk of abuse to children.

MITGF is obliged to adhere to Australian laws, and international child protection criminal laws, which prohibit the abuse and exploitation of children. These include local laws where MITGF'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.

5. Guiding principles

This Policy is guided by the following principles:

- Any form of child abuse and exploitation is unacceptable and will not be tolerated.
- The United Nations Convention on the Rights of the Child is the universal foundation for child protection. All decisions regarding the welfare and protection of children are made based on the Best Interests of the Child Principle.
- All children have a right to be safe at all times, and we have an obligation to provide safe and protective services and environments.
- All children should be equally protected and assisted regardless of their gender, nationality, religious or political beliefs, family background, economic status, physical or mental health or criminal background.
- MITGF recognizes its duty of care to take all reasonable steps to ensure that children are safe from harm.
- MITGF will take proactive steps to create child safe and child friendly programs.
- Adherence to this Policy is a mandatory requirement for all MITGF personnel and the personnel of any partner organisation.
- MITGF will ensure that all staff and associated personnel are made aware of the Policy and their responsibilities.

6. Definitions

Child: a person under the age of 18 years.

Child abuse: Child abuse includes physical, sexual, emotional, neglect, bullying, child labour and domestic violence. Abuse happens to male and female children of all ages, ethnicity and social backgrounds, abilities, sexual orientation, religious beliefs and political persuasion.

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

Child exploitation and abuse: one or more of the following:

- committing or coercing another person to commit an act or acts of child abuse against a child;
- possessing, controlling, producing, distributing, obtaining or transmitting child exploitation material; or
- committing or coercing another person to commit an act or acts of grooming or online grooming

Child exploitation material: Material, irrespective of its form, which is classified as child abuse material or child pornography material.

Child pornography: Any representation, by whatever means, of a child engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a child for primarily sexual purposes.

Child pornography material: Material that depicts a person, or is a representation of a person, who is, or appears to be, under 18 years of age and is engaged in, or appears to be engaged in, a sexual pose or sexual activity, or is in the presence of a person who is engaged in, or appears to be engaged in, a sexual pose or activity, and does this in a way that a reasonable person would regard as being, in all the circumstances, offensive.

Code of Conduct: the child protection code of conduct referred to in Clause 9 and set out in Schedule 1 and as amended from time to time.

DFAT: Australian Department of Foreign Affairs and Trade.

Emotional abuse: inappropriate verbal or symbolic acts towards a child, such as name calling, being put down or continual coldness from a parent or caregiver, to the extent that it affects the child's physical and emotional growth and self-esteem.

Grooming: Generally refers to behaviour that makes it easier for an offender to procure a child for sexual activity. For example, an offender might build a relationship of trust with the child, and then seek to sexualise that relationship (for example by encouraging romantic feelings or exposing the child to sexual concepts through pornography).

Neglect: is the persistent failure or the deliberate denial to provide a child with the conditions that are normally accepted as being essential for their physical and emotional development and well-being including clean water, food, shelter, sanitation or supervision or care.

Online grooming: The act of sending an electronic message with indecent content to a recipient who the sender believes to be under 16 years of age, with the intention of procuring the recipient to engage in or submit to sexual activity with another person, including but not necessarily the sender

Partner Organisation: any organisation or person that MITGF works with, or is involved with, in connection with any relief or development programs or projects.

Personnel: Personnel are employed by an organisation, whether full-time, part-time, casual, or on a voluntary basis.

Physical abuse: the use of physical force against a child that results in harm to the child. This may take the form of slapping, punching, shaking, kicking, burning, shoving or grabbing.

Sexual abuse: the use of a child for sexual stimulation or gratification by an adult, older child or adolescent. This can be contact or non-contact acts, including threats and exposing a child to, or involving a child in, pornography.

7. Scope of the Policy

This Policy applies to all of MITGF's personnel and the personnel of any partner organisation in connection with any activity which involves working with children or may involve contact with children

8. Child protection risk management

MITGF recognizes that there are potential risks to children in the delivery of our programs. In recognizing these risks, MITGF shall assesses and manages these risks to children in our programs (and in the communities in which we work) to reduce the risk of harm. This is achieved by undertaking a child protection risk assessment on each program. Programs that involve direct work with children are considered a higher risk, and therefore require more stringent assessment.

MITGF shall not permit any person to work with or have contact with children, if that person poses an unacceptable risk to children's safety or wellbeing.

MITGF shall ensure that its personnel and its partner organisation are aware of the Policy and the MITGF Child Protection Code of Conduct.

9. Child Protection Code of Conduct.

MITGF adopts the child protection code of conduct developed by DFAT to provide clear standards of conduct and behaviour expected by MITGF in order to protect children.

MITGF may amend the Code of Conduct from time to time.

MITGF's employment contracts shall include provisions entitling MITGF to terminate the employment of a personnel, suspend or transfer them to other duties, if they breach the Code of Conduct and depending on the nature and severity of the breach.

10. Child Safe Recruitment and Screening

MITGF is committed to child safe recruitment, selection and screening practices to ensure that no one is recruited to work with MITGF who may pose a potential risk to children.

MITGF requires all of MITGF's personnel to comply with the Policy and the Code of Conduct. MITGF shall provide its personnel with a copy of this Policy and a copy of the Code of Conduct.

Each personnel of MITGF must:

- acknowledge receiving a copy of this Policy and a copy of the Code of Conduct and reading and understanding these documents;
- sign the Code of Conduct; and
- comply with this Policy and the standards of conduct and behaviour established in the Code of Conduct

The following process shall be adopted by MITGF in recruiting any personnel whose role involves working with children:

- Interviews will be conducted for all positions, ideally face-to-face, but telephone interviews may be necessary in the international context.

- Behavioural-based questions will be used to ask for examples of the candidate's past behaviour and experiences. In positions working directly working with children, MITGF will explore the candidate's motivations for working with children, which will include value-based questions seeking information about the candidate's attitudes to children, professional boundaries, accountability, team work and how they have responded to ethical dilemmas.
- A minimum of three reference checks will be required for all preferred candidates. Where practicable, the candidate's most recent employer/supervisor shall be one of these referees. MITGF will verify the identity of the referee and make direct contact with each of these referees in addition to considering written references. MITGF reserves the right to request additional references.
- A police clearance or relevant criminal history checks depending on the country of origin is required for the preferred candidate. Where police checks are not available or is unreliable, MITGF shall conduct additional background and reference checks and require such candidates to sign an employment declaration stating that they have not been convicted of any sex offence or child-related offence.
- Where the candidate is working directly with children in Australia, they may require a Working with Children Check (depending on the jurisdiction).
- All positions will be subject to a probationary period depending on the length of the contract.

The following process shall be adopted by MITGF in recruiting any personnel whose role involves contact with (but not working with) children:

- A police clearance or relevant criminal history checks depending on the country of origin is required for the preferred candidate. Where police checks are not available or is unreliable, MITGF shall conduct additional background and reference checks and require such candidates to sign a statutory declaration or local legal equivalent stating that they have not been convicted of any sex offence or child-related offence; and
- A minimum of three reference checks will be required for all preferred candidates. Where practicable, the candidate's most recent employer/supervisor shall be one of these referees. MITGF will verify the identity of the referee and make direct contact with each of these referees in addition to considering written references. MITGF reserves the right to request additional references.

MITGF reserves the right to refuse employment to, or terminate any person's employment that may pose a risk to children.

MITGF requires all partner organisations to ensure that its personnel:

- comply with this Policy or the child protection policy adopted by the partner organisation which is comparable to this Policy; and
- comply with the Code of Conduct, or the child protection code of conduct adopted by the partner organisation which is comparable to the Code of Conduct

MITGF requires all partner organisations to comply with all relevant local laws relating to working with children and the protection of children.

11. Education and Training

MITGF is committed to educating its personnel and others in this policy so that they understand the issues concerning child protection and how to reduce risks and create a child safe environment.

This policy shall be made available on the MITGF website.

MITGF shall communicate this policy to all its personnel through its induction and training programs.

Staff working directly with children in particular will be fully trained in all aspects of this policy and its implementation.

Training will also be provided to MITGF staff following any significant update or change to this policy.

12. Child Abuse Reporting Procedure

MITGF considers the abuse and exploitation of children to be completely unacceptable. We will take all concerns and reports of child abuse seriously and act on these reports immediately. A report of child exploitation and abuse may include any disclosure, concern or allegation made by a child or by any other person.

It is mandatory for all MITGF's personnel and others to report concerns or allegations of child exploitation and abuse. If there are any such concerns, the following child abuse reporting procedures should be followed immediately:

Who should report?

All personnel of MITGF and others including people in the community and partner organisations.

What should be reported?

- Any disclosure or allegation from a child/community member or staff regarding the safety/abuse exploitation of a child.
- Any observation or concerning behaviour exhibited by any personnel of MITGF or others that breaches the Code of Conduct for working with children.
- Inappropriate use of the organisation's photographic equipment or computers including evidence of child pornography.
- Personnel engaging in suspicious behaviour that could be associated with sexual exploitation or trafficking.

Who to report to?

- Child exploitation and abuse reports should be made to the President of MITGF (Email: shesh.ghale@mit.edu.au or Tel: +61 3 8600 6762).

- For reporting of child abuse overseas, if a designated in country person such as a Child Protection Officer has been appointed, the reporting should be made to that person in the first instance.
- DFAT: If the report concerns a person engaged in or in connection with activities funded by DFAT, child abuse reports must also be made to the DFAT Child Protection Compliance Section

Reporting of child abuse in Australia

- Child exploitation and abuse reports should be made to the President of MITGF.
- An initial assessment will be made based on the quality and reliability of the information and a decision will be made on what steps to take.
- Reporting child abuse in Australia is a clearer process compared to responding to incidents that occur overseas. In all Australian states and territories, sexual and physical abuse of children are crimes.
- Additionally, in some jurisdictions it is a criminal offence for persons who are in positions of power and trust (e.g. teacher, parent, carer) to engage in sexual activity with children.
- Reporting child abuse can either be made to the local state police or the state child protection authorities. If there is an allegation or suspicion of child sexual abuse by a personnel of MITGF, these matters will be reported to the state police. In most Australian states there are specialised units dealing with child sexual crimes. In Victoria, the contact details of these authorities are:

- Victoria Police: 000
- Child Protection,
Dept of Human Services: 131278 (Child Protection Crisis Line, 24 hours, 7 days a week toll free within Victoria)

- If there are concerns that a child is being sexually abused by someone external to the organization, MITGF will contact the state police and/or child protection authorities.
- Concerns about the welfare of the child in relation to neglect and/or emotional abuse will be reported to the child protection authorities in each state or territory.
- Concerns about people engaging in child sex tourism, child sex trafficking and child pornography should be reported to the Australian Federal Police - Contact details are:
 - Australian Federal Police: (02) 6131 3000 (National switchboard)

Reporting of child abuse allegations overseas

- Child exploitation and abuse reports should be made to the designated in country person (if appointed), otherwise to the President of MITGF.
- An initial assessment will be made based on the quality and reliability of the information and a decision will be made on what steps to take.
- A local reporting procedure will guide the process based on whether the allegation constitutes a criminal offence in the country, or whether it is a breach of the Code of Conduct and capable of being dealt with as a disciplinary matter.
- The first step will be to gather all the relevant information and address any health and protection needs of the child. The matter may be directly referred to the local police and or authorities if the allegations are considered to be criminal offences.

- If the incident has occurred outside of the program the matter will be referred to an external body or agency dealing with child protection matters in the country.

When to report?

Child abuse concerns should be raised immediately, and, where relevant, the DFAT Child Protection Compliance Section must be notified immediately.

How should it be reported?

Verbally and in writing by completing an incident report, where available. Include any documentary evidence where available.

What will happen next?

- MITGF will then decide upon the next step. This will involve either:
 - Interviewing the person/persons who made the allegations or other witnesses to gather more information with which to make a decision;
 - Report to local police and or child protection authority;
 - Report made to the Australian Federal Police;
 - Handled internally if it is not a criminal matter; or
 - No further action taken
- MITGF will treat all concerns raised seriously and ensure that all parties will be treated fairly and the principles of natural justice will be a prime consideration. All reports will be handled professionally, confidentially and expediently.
- All reports made in good faith will be viewed as being made in the best interests of the child regardless of the outcomes of any investigation. MITGF will ensure that the interests of anyone reporting child abuse in good faith are protected.
- Any employee who intentionally makes false and malicious allegations, will face disciplinary action.
- The rights and welfare of the child is of prime importance. Every effort must be made to protect the rights and safety of the child throughout the investigation.

Responding to disclosure by a child.

- When a child discloses that he or she has been abused, they may be feeling scared, guilty, ashamed, angry and powerless.
- If a child discloses abuse, whatever the outcome, the child must be taken seriously
- When a child discloses they are being harmed, the recipient can show your care and concern for the child by:
 - Listening carefully
 - Telling the child they believe him or her
 - Telling the child it is not their fault and he/she is not responsible for the abuse
- The recipient should try and obtain some details such as where the abuse is taking place, school, home, work etc; is it currently occurring or did occur in the past, and the name of perpetrator if possible.

Other actions to take:

- Protect the child - Once an allegation is made there should be an immediate response that protects the child from further potential abuse or exploitation. The child may

require medical assistance or counselling support. If the child is in immediate danger arrangements should be made for the child to go to a safe place.

- Distance the alleged perpetrator - The best interest of the child may warrant the standing down of a personnel.
- Confidentiality - All reports, the names of people involved and the details will remain confidential. Details will be released on a “need to know” basis or when required by relevant local or Australian law or a notification to police or child protection authorities is made.

13. Use of Images and messages

MITGF use its best endeavours, at all times, to portray children in a respectful, appropriate and consensual way and not in a vulnerable or submissive manner.

When photographing, filming or using children’s images, MITGF shall :

- endeavour to comply with any local traditions or restrictions for reproducing personal images;
- obtain informed consent from the child and parent or guardian including explaining how the image will be used;
- ensure that there are no identifying information about the child when publishing the image; and
- ensure images are an honest representation of the context and facts.

14. Policy review

MITGF’s Child Protection Policy will be reviewed on an annual basis, or as otherwise determined by the Board of Directors of MITGF.

Acknowledgements:

- Adapted from *Example Good Practice Child protection Policy, ACFID Guidelines for the Development of a Child Protection Policy, July 2008.*
- *Child Protection Policy for the Australian Government’s Aid Program, DFAT, January 2013.*

Schedule 1

MITGF Child Protection Code of Conduct

I, _____ [insert name], acknowledge that I have read and understand MITGF's *Child Protection Policy*, and agree that in the course of my association with MITGF, I must:

- treat children with respect regardless of race, colour, gender, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status;
- not use language or behaviour towards children that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate;
- not engage children under the age of 18 in any form of sexual intercourse, or sexual activity, including paying for sexual services or acts;
- wherever possible, ensure that another adult is present when working in the proximity of children;
- not invite unaccompanied children into my home, unless they are at immediate risk of injury or in physical danger;
- not sleep close to unsupervised children unless absolutely necessary, in which case I must obtain my supervisor's permission, and ensure that another adult is present if possible;
- use any computers, mobile phones, video cameras, cameras or social media appropriately, and never to exploit or harass children or access child exploitation material through any medium;
- not use physical punishment on children;
- not hire 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;
- not give or provide children with, or encourage any child to take, alcohol or illegal drugs;
- not show favouritism through the provision of gifts or inappropriate attention;
- comply with all relevant local laws, including labour laws in relation to child labour;
- immediately report concerns or allegations of child exploitation and abuse and policy non-compliance in accordance with appropriate procedures (such as in accordance with the procedures set out in the MITGF Child Protection Policy or any procedures set out in any similar policy followed by a partner organisation or any reporting requirements under local laws); and
- immediately disclose all charges, convictions and other outcomes of an offence, which occurred before or occurs during my association with MITGF that relate to child exploitation or child abuse.

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

- assess and endeavour to comply with local traditions or restrictions for reproducing personal images before photographing or filming a child;

- obtain informed consent from the child and parent or guardian of the child before photographing or filming a child. As part of this I must explain how the photograph or film will be used;
- ensure photographs, films, videos and DVDs present children in a dignified and respectful manner and not in a vulnerable or submissive manner. Children should be adequately clothed and not in poses that could be seen as sexually suggestive;
- ensure images are honest representations of the context and the 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.

I understand that the onus is on me, as a person associated with MITGF, to use common sense and avoid actions or behaviours that could be construed as child exploitation and abuse.

Signed

Signature: _____

Name: _____

Date: ____/____/____