

**AUSTRALIAN RED CROSS SOCIETY**  
**Board Policy Statement No.19**

**CHILD PROTECTION POLICY**

**Date of approval: 18<sup>th</sup> October 2014**

**Date of commencement:**

**1 November 2014 - as to Appendix 2 - Child Protection Code of Conduct;**

**1 February 2015 – as to all other sections of the Child Protection Policy.**

**Review Date: October 2015**

**POLICY STATEMENT**

**Context**

Red Cross strongly supports and values the vital role that children play in the development of vibrant and positive communities.

Red Cross recognises that children form one of the most vulnerable groups in society. Red Cross acknowledges that contact and working with children is a critical responsibility and that, at all times, children have the right to be safe and protected.

Red Cross does not tolerate any form of child exploitation or abuse.

**Policy principle**

The primary aim of this policy is to ensure the protection and safety of children and the prevention of child exploitation and abuse of children. This Policy sets out general principles and guidelines, and specific obligations and is to be implemented by referring to the Handbook [insert link].

**Policy objectives**

Red Cross is strongly committed to:

- providing opportunities for children to actively engage in a range of activities that are inclusive, meaningful, educational and positively contribute to the development of sustainable communities across Australia and internationally;
- a range of strategies that minimise the risk of abuse to children participating in Red Cross activities within Australia and internationally, including in connection with responding to emergencies; and
- acting in accordance with the standards set out in International Conventions relating to child rights and protection<sup>1</sup>.

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<sup>1</sup> United Nations Convention on the Rights of the Child (UNCRC)

Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography

It is a key priority that management and supervision of all Red Cross activities is consistent with this policy.

Red Cross activities, where children are participants or are present, are underpinned by a number of Red Cross policies, procedures and accountability processes that guide and provide direction on appropriate work practices. The policy also provides for circumstances in which Red Cross has access to records relating to children.

This policy aims to ensure that any person or organisation within the Scope is aware of their responsibility to ensure that the safety and wellbeing of children is protected at all times.

Other aims of this policy are:

- to protect children from exploitation and abuse regardless of their nationality, culture, ethnicity, gender, religious or political beliefs, socio-economic status, family or criminal background or physical or mental health or disability status;
- to ensure that the 'best interests of the child' principle is always paramount, including the need to protect the child from harm, to protect their rights and to promote his or her development;
- to establish, and maintain and uphold required standards of conduct and behaviour in any contact with children;
- to ensure that, if there are reasonable grounds to suspect children are at risk of exploitation or abuse or have been abused, or abuse is disclosed, the correct reporting procedure is followed and, where practicable and available, follow up support is provided or arranged by Red Cross;
- to ensure that Red Cross, and anyone in contact or working with children in connection with the activities and programs of Red Cross, are obliged to abide by laws relevant to child protection;
- to ensure that all cases of disclosed or suspected child exploitation and abuse are handled in a consistent and thorough manner and in accordance with the requirements of the relevant legislation and the relevant local procedures, in Australia or in another country;
- to reflect compatibility with the *Council of Australian Governments (COAG) National Framework for Protecting Australia's Children 2009 – 2020*; and
- in respect of activities which are funded by Department of Foreign Affairs and Trade (DFAT), to accord with the requirements of the DFAT *Child Protection Policy 2013*.

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Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflicts

Geneva Declaration of the Rights of the Child

International Labour Organization Convention 182: Convention Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour

*Child Protection Policy Australian Red Cross Board Policy Statement No 19 2015*

## 1. Definitions

**These definitions include definitions of words used in the Child Protection Code of Conduct (Annexure 2).**

'adult'	a person aged 18 years or more.
'AVID volunteer'	a person who is a volunteer under the AVID Program.
'AVID'	Australian Volunteers for International Development Program.
'child'	a person under the age of 18 years.
'child abuse'	one or more of the following: <ul style="list-style-type: none"><li>• physical abuse</li><li>• sexual abuse</li><li>• emotional abuse</li><li>• neglect</li></ul> of a child.
'child abuse material'	material that depicts (expressly or implicitly) a child as a victim of torture, cruelty or physical abuse.
'child exploitation and abuse'	one or more of the following: <ul style="list-style-type: none"><li>• committing or coercing another person to commit an act or acts of abuse against a child</li><li>• possessing, controlling, producing, distributing, obtaining or transmitting child exploitation material</li><li>• committing or coercing another person to commit an act or acts of grooming or online grooming.</li></ul>
'child exploitation material'	material, irrespective of its form, which is 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 a sexual pose or activity, and does that in a way that a reasonable person would regard as being, in all the circumstances, offensive.
'child protection'	an activity or initiative for the purpose of preventing or responding to a specific incident of child abuse.
'Child Protection Code'	the Child Protection Code of Conduct set out in Annexure 2.

of Conduct'	
'contact with children'	working or participating in an activity or in a position that involves contact with children, either under the position description or due to the nature of the work environment.
'contractor'	any person or organisation (other than a staff member or volunteer of Red Cross or Red Cross Member) working with or providing services to Red Cross, including any sole traders such as consultants.
'DFAT'	Department of Foreign Affairs and Trade.
'DFAT Child Protection policy'	the DFAT Child Protection Policy 2013, as varied or replaced by DFAT.
'emotional abuse'	a parent's or caregiver's inappropriate verbal or symbolic acts towards a child or a pattern of failure over time to provide a child with adequate non-physical nurture and emotional availability whereby a child's self esteem and social competence is damaged.
'grooming'	behaviour that makes it easier for an offender to procure a child for sexual activity, including online grooming.
'Handbook'	the Australian Red Cross Child Protection Handbook, accessible at [insert link]
'host organisation'	an organisation which by agreement with Red Cross acts as host for an AVID volunteer.
'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.
'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 well-being.
'partner organisation'	a partner organisation engaged by Red Cross to work with Red Cross or to provide services to or in connection with projects (whether within or outside Australia), including projects that are undertaken with funding provided in whole or in part by DFAT.
'personnel'	an staff member, volunteer, Red Cross Member, or other person providing services.
'physical abuse'	the use of physical force against a child that results in harm to the child. Physically abusive behaviour includes shoving,

punching, hitting, beating, kicking, biting, burning, shaking, throwing, strangling and poisoning.

'Red Cross'	Australian Red Cross Society (ABN 50 169 561 394).
'Red Cross Member'	a person who is a member of Red Cross in accordance with the Rules of Red Cross.
'sexual abuse'	the use of a child for sexual gratification by an adult or a 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.
'sole trader'	a person (other than a staff member, or a volunteer or a Red Cross Member, or a company or other incorporated organisation) providing services to or working with Red Cross under a contract or subcontract.
'sub-contractor'	a person or organisation which, under a contract with a contractor which provides services to Red Cross, undertakes the provision of some or all of the service obligations to Red Cross of that contractor.
'volunteer'	<p>a person who:</p> <ul style="list-style-type: none"><li>• is a volunteer in accordance with Rule 4 of the Rules of Red Cross; or</li><li>• is an AVID volunteer; or</li><li>• provides voluntary service with the agreement of Red Cross; or</li><li>• provides voluntary service as a member of the Board of Red Cross.</li></ul> <p>A 'volunteer' does not include any person who is a blood donor, organ donor, 'umbilical cord' donor or tissue donor with the Australian Red Cross Blood Service.</p>
'working with children'	<p>working in an activity or in a position that involves or may involve contact with children, either under the position description or due to the nature of the work environment, when:</p> <ul style="list-style-type: none"><li>• a "Working with Children' clearance notice or card is required under an applicable State or Territory law, or</li><li>• Red Cross determines that the work constitutes working with children.</li></ul>

## **2. Scope**

### **2.1 Application generally**

#### **2.1.1 Except as set out in clause 2.1.4, this Policy applies to:**

- each staff member;
- each staff member who is engaged in the International Humanitarian Blood Program of Red Cross;
- each volunteer;
- each Red Cross Member who in the course of an activity as a Red Cross Member has, or is likely to have, contact with children or have access to any record relating to children;
- each contractor or sub-contractor who, as a sole trader, is providing services to or working in connection with any activity of Red Cross which involves working with children or may involve contact with children (including any activity which provides access to any record relating to children);
- each host organisation or a partner organisation which is providing services to, or working with, Red Cross in connection with any activity which involves working with children or may involve contact with children (including any activity which provides access to any record relating to children); and
- each contractor or subcontractor which is providing services to, or working with, Red Cross in connection with any activity of Red Cross which involves working with children or may involve contact with children (including any activity which provides access to any record relating to children).

#### **2.1.2 Application of Policy to Red Cross Members**

This policy applies to a Red Cross Member who is within the Scope set out in section 2.1 if they determine (or 'self-identify') that an activity in which they are involved, or are likely to be involved, as a Red Cross Member is an activity which does involve or is likely to involve contact with children, or access to a record relating to children.

#### **2.1.3 Application of Policy to persons and organisations other than Red Cross**

##### **Application to sole traders in Australia**

In connection with an activity of a contractor or sub-contractor, who is a sole trader in Australia, which is within Scope set out in section 2.1, the contract between Red Cross and the sole trader must provide that the terms of this Policy apply to her or him as though she or he were a staff member of Red Cross.

### **Application to organisations in Australia (other than sole traders)**

In connection with an activity of an organisation in Australia (such as a proprietary limited company or a partner organisation, other than a sole trader) which is within Scope in section 2.1, the terms of an agreement between Red Cross and that organisation must require that the organisation:

- must apply this Policy;
- must apply its own Child Protection Policy, if its own policy (in the context of its legal structure and operations) complies with the standards and procedures set out in this Policy; or
- demonstrate to the reasonable satisfaction of Red Cross that it is working towards establishing and implementing appropriate child protection standards and processes.

### **Application to partner organisations and host organisations internationally**

- A partner organisation or host organisation outside Australia which is within the Scope in section 2.1 which enters into arrangements with Red Cross to undertake an activity which is funded by DFAT, must have and implement a Child Protection Policy which applies in accordance with, and complies with the standards of, the DFAT Child Protection Policy, as set out in an agreement between Red Cross and the organisation.
- A partner organisation outside Australia which enters into arrangements with Red Cross to undertake an activity which is funded without any use of DFAT funds:
  - must have and implement a Child Protection Policy which complies with the standards and procedures set out in this Policy, as set out in an agreement between Red Cross and the organisation; or
  - demonstrate to the reasonable satisfaction of Red Cross that it is working towards establishing and implementing appropriate child protection standards and processes.

#### **2.1.4 Exclusions**

The Policy does not apply to persons within the scope of clause 2.1.1 who are engaged by or work with the Australian Red Cross Blood Service, which has its own Child Protection Policy in respect of its operations, other than a staff member who is engaged in the International Humanitarian Blood Program of Red Cross.

The Chief Executive Officer may determine that this Policy is not to be applied to a partner organisation in a Red Cross response to an international emergency if:

- Red Cross has had no previous engagement with the partner organisation in respect of child protection matters;
- Red Cross is unlikely to enter into partnership arrangements with that organisation in the future;
- the funds to be used in the emergency response by Red Cross are not provided by DFAT (unless DFAT has permitted a variation to the application of the DFAT Child Protection Policy in the circumstances);
- a risk assessment in relation to child protection has been undertaken; and

- the proposed partner organisation has child protection processes to mitigate identified risks and reasonably protect the interests of children in the context.

### **3. Responsibilities and Implementation**

#### **3.1 Responsibilities**

Each person within the Scope as set out in Section 2.1 is required to comply with this Policy.

Specific responsibilities of persons within the Scope of the Policy (set out in Section 2.1) are set out in this Policy and in the Handbook [insert link].

#### **Child Safe Contact Officers**

Child Safe Contact Officers are appointed by Red Cross. Their roles and responsibilities (including education, training and implementation) are set out in the Handbook [insert link].

#### **3.2 Risk Management**

##### **3.2.1 Programs and activities**

Red Cross must undertake a child protection risk assessment on all programs and activities that may have contact with children, work with children or have access to records relating to children.

Child protection risks are assessed across Red Cross operations:

- in development of job descriptions ,
- in recruitment screening processes (see Section 3.4 and Annexure 1),
- in programs and activities ; and
- if Red Cross is considering partnering with another organisation, an organisational assessment.

The risk assessments must:

- identify risks;
- classify any high risk positions, individuals, activities and/or organisations; and
- document steps to be taken to reduce or remove risks.

Activity risk assessments are to be reviewed and updated annually (or more often if required) over the life of assessed activities.

#### **Over-riding prohibition**

Red Cross will 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.

## **Organisational assessment**

This Policy is to apply to partner organisations, host organisations and any other contractors or subcontractors referred to in Section 2.1, as follows:

### **Proposed new partners:**

Red Cross must undertake a child protection assessment of an organisation being considered by Red Cross for a partnership arrangement in connection with activities which involve working with children (or in respect of which there may be contact with children).

For this purpose, a 'partnership arrangement' is an arrangement under which the proposed partner would become a partner organisation, a host organisation or other contractor or subcontractor supplying services to or working with Red Cross, as set out in Section 2.1 – Scope of the Policy.

Red Cross will not enter into a partnership arrangement unless the proposed partner satisfies the requirements of this Policy, in respect of the proposed partner activities which involve working with children or contact with children, in the manner set out in Section 2.1.3 and in this Section 3.2.

### **Current partners:**

If Red Cross currently partners with a partner organisation, a host organisation or other contractor or subcontractor supplying services to or working with Red Cross, as set out in Section 2.1 – Scope of the Policy, in connection with activities which involves working with children (or in respect of which there may be contact with children), that organisation must comply with the obligations under this Policy, in the manner set out in Section 2.1.3 and in Section 3.2.

## **3.2.2 Overall risk assessment process for activities within the Scope of the Policy**

The Policy applies in accordance with its terms to any person within the Scope of the Policy.

### **Exceptional circumstances**

In respect of:

- a service being provided to Red Cross in Australia, by any person or organisation within the Scope of the Policy; or
- an activity being conducted in Australia by Red Cross (excluding a services program or activity)

by exception a determination may be made by the relevant Manager to apply only some of the measures required by the Policy if:

- a risk assessment is carried out in accordance with this Section 3.2.of the Policy;
- with the application of controls or mitigations in respect of protection of children in the particular context, the residual risk is assessed as being low.

A risk assessment in relation to the provision of the service, or the conduct of the activity, is required to be undertaken within the standard child protection risk assessment set out in the Handbook [insert link], including consideration of:

- risks;
- impact of each identified risk occurring; and
- controls and mitigation (including additional controls which may be necessary).

Based on the standard child protection risk assessment, the contractual and other arrangements with the provider of the service, or in relation to the conduct of the activity (such as provision of instructions by the Manager), must include the appropriate controls, as assessed and determined by Red Cross, in order to ensure that the risk is low.

The risk assessment determines that the residual risk is low, if:

- time period of attendance of the contractor on site is brief and/or
- the extent of potential contact with children is minimal (the contractor is not undertaking work with children) and/or;
- suitable mitigation strategies are identified and implemented (e.g. limited supervision and/or briefing by site manager in child protection requirements).

### **3.3. Child Safe Recruitment and Screening**

#### **3.3.1 Staff members and volunteers of Red Cross, Red Cross Members and other personnel providing services to Red Cross**

Red Cross must apply the child safe recruitment and screening procedures (which are set out in Annexure 1) for any person within the Scope of the Policy (set out in Section 2.1).

#### **3.3.2 Advertising**

In respect of any recruitment or engagement, a statement, the substance of which is that Red Cross is a child safe organisation and screens applicants for suitability to work with or to have contact with children, will be included in the relevant section of the Red Cross website or other relevant place.

### **3.4 Provision of the Policy**

Any staff member, volunteer, or Red Cross Member, or sole trader within the Scope of the Policy (set out in Section 2.1) must:

- be provided with, or have ready access to, a copy of the Policy;
- be briefed on the policy as part of their orientation or induction); and
- read and be required to understand and follow the requirements of the Policy.

### **3.5 Standards of Conduct and the Child Protection Code of Conduct**

A staff member, volunteer, Red Cross Member, or sole trader within the Scope of the Policy (as set out in Section 2.1) must:

- be provided with and sign (or electronically acknowledge and agree to comply with) the Child Protection Code of Conduct;
- comply with all applicable laws relating to working with children; and

- comply with the standards of conduct and behaviour established in the Child Protection Code of Conduct.

Red Cross must retain a physical copy of the Child Protection Code of Conduct as signed by each person or an electronic record of each person who has acknowledged having read and being bound by the Policy through an electronic process.

### **3.6 Employment Contract Provisions**

Each employment contract of a Red Cross staff member must include an entitlement for Red Cross to dismiss the staff member, or suspend or transfer them to other duties, if they breach the Child Protection Code of Conduct.

### **3.7 Training and Awareness**

All staff members, volunteers, members, or sole traders within the Scope of the Policy (set out in Section 2.1) are required to be aware of and familiar with the requirements of this Policy.

A staff member, volunteer, member, or sole trader within the Scope of the Policy must be provided with and must participate in child protection awareness training (including the obligations under the Policy and the Child Protection Code of Conduct to protect children and how to report concerns or allegations about child abuse).

Red Cross must maintain a register, managed by Human Resources, of those persons who have been trained.

### **3.8 Procedures for Reporting Child Abuse**

A report of child exploitation and abuse may include any disclosure, concern or allegation made by a child, or by any other person, of child exploitation and abuse or a breach of the Child Protection Code of Conduct.

Red Cross is committed to ensuring that the safety and wellbeing of the child and their dignity and rights remain the overriding concern at all times.

Red Cross will:

- deal with a report of child abuse in accordance with this Policy and Handbook;
- make every effort to protect the rights and safety of the child throughout the investigation of any report of child abuse;
- treat a report of child exploitation and abuse seriously and ensure that all parties are treated fairly;
- deal with a child exploitation and abuse report in a confidential, fair and timely manner; and
- ensure that the interests of anyone reporting in good faith are protected. 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.

Any person who intentionally makes a false or malicious report may be subject to any applicable disciplinary action up to and including dismissal or other action appropriate to their relationship with Red Cross.

A contractor or subcontractor who intentionally makes a false or malicious report may be subject to termination of contract.

### 3.8.1 Notification

If a person becomes aware of an incident of:

- child exploitation and abuse, or what may reasonably be suspected to be child exploitation and abuse, through disclosure from a child, third party and/or direct observation; **and/or**
- a breach or possible breach of the Child Protection Code of Conduct

she or he must immediately:

- notify the incident by completing and delivering an Incident Report to the relevant manager;
- if the incident is required to be reported by any applicable legislative mandatory reporting obligation, report the incident to the relevant external child protection authority or the relevant police force.

The Handbook [insert link] sets out the notification and reporting obligations and procedures in detail.

Others, including people in the community, can also notify child exploitation and abuse or suspected child exploitation and abuse to any person in Red Cross. A Red Cross person who receives a notification in this way must immediately notify the relevant manager in accordance with the Handbook [insert link].

### 3.8.2 Reporting to DFAT

If the notification concerns a person engaged in, or occurs in connection with, the provision of activities which are funded by DFAT, details of the matter **must** be provided immediately to the Red Cross Head of the International Program, for notification to the DFAT Child Protection Compliance Section.

The obligation to notify DFAT includes an obligation of Red Cross through the Head of the International Program to notify DFAT in respect of DFAT-funded personnel, or DFAT-funded partner personnel, who are accused of, charged with, arrested for, or convicted of a criminal offence relating to child exploitation and abuse.

### 3.8.3 Acting on the notification

The manager to whom the Incident Report is given (or her/his appointee) will:

- identify immediate and potential risks to the child;
- develop and implement an action plan to ensure the child's safety (the 'Action Plan').

### 3.8.4 The Action Plan

The Action Plan includes:

- checking that a report of the matter to the relevant police force and/or the child protection authority has been made, if it is required in compliance with a mandatory legal requirement, **and/or**
- making a report of the matter to the relevant police force and/or the child protection authority, even if it is not required by law, unless the relevant Manager (in consultation with their manager) determines that the matter does not involve conduct which may be criminal or conduct which may be required to be reported under a mandatory legal requirement; **and/or**
- ensuring referral and support for the child; **and/or**

- managing the matter internally in accordance with Red Cross processes, according to whether or not the incident may involve criminal conduct or other reportable conduct.

Other steps may also be required, as determined by Red Cross, according to the particular circumstances.

#### **4. Consequences of breach of the Policy or of the Child Protection Code of Conduct**

A breach of or failure to comply with the Policy or the Child Protection Code of Conduct may give rise to:

##### **Red Cross Staff members, volunteers or members within the scope of the Policy:**

- implementation of procedures in accordance with Red Cross policies, which may result in a range of actions up to and including:
  - in the case of a staff member – dismissal of the staff member;
  - in the case of a volunteer - termination of the services of the volunteer;
  - in the case of a Red Cross Member – termination of the membership of the Red Cross Member.

##### **Partner organisations, host organisations, or other contractors and subcontractors:**

- in the case of a contractor who is a sole trader – termination of contract;
- in the case of a member of the personnel of a partner organisation, host organisation or other contractor or a subcontractor (“organisation”)
  - (1) a direction to the organisation requiring cessation of the services of the person concerned; and/or
  - (2) termination of the contract or other arrangement with the organisation.

It may also give rise to:

- other legal action; and/or
- criminal investigation and prosecution.

#### **5. Policy Monitoring and Review**

Monitoring application of the policy is the responsibility of the Director of Services and International Operations, the Director Human Resources and senior managers referred to in the Handbook [insert link].

The policy will be reviewed every year or as otherwise determined by the Board.

It may be reviewed more frequently if there are changes to relevant national and/or international standards, so that the Policy remains current, effective and appropriate.

#### **6. Commencement and Operation**

This Policy is to be implemented following its endorsement by the Board and the required revisions to the accompanying Handbook.

#### **7. Related Documents**

- Australian Red Cross Code of Conduct

- HR ATT 01 – Recruitment and Selection Policy
- HR ATT 04 – Police Check Policy
- HR SUP 16 Workforce Complaints and Grievances Policy
- HR SUP 15 Disciplinary Action Policy
- The Child Protection Handbook

#### **Attachments**

**Annexure 1: Child Safe Recruitment or Engagement**

**Annexure 2: Child Protection Code of Conduct**

## **Annexure 1: Child Safe Recruitment or Engagement**

### **A. Application of this Annexure**

Recruitment of any person within the scope of the Policy, as set out in Section 2.1:

- as an staff member or as a volunteer; or
- as a sole trader;

and the approval of the utilisation of any personnel of any other contractor or sub-contractor, is to be undertaken in accordance with:

- the Red Cross Recruitment and Selection Policy (HR ATT 01);
- the Red Cross Police Check Policy (HR ATT 04); and
- this Annexure.

Approval of the utilisation of the services of a Red Cross Member (who is not a volunteer) is to be undertaken in accordance with this Annexure.

### **'Working with Children' clearance notices or cards**

If a person within the Scope of the Policy (set out in Section 2.1):

- works with children; and
- is required by law to hold a specific 'Clearance Notice' or card issued by a governmental authority in order to work with children (e.g. a 'Blue Card' in Queensland).

Red Cross must verify that the person holds that clearance notice or card.

For further information, please refer to the Handbook [insert link].

### **B. Screening – applicants and preferred candidates**

The screening process involves two or three steps, as set out below, according to whether the role may involve contact with children (two steps) or involves working with children (three steps).

#### **Step 1 – Screening enquiries for any roles in which a person may have contact with children:**

##### **Preferred applicants for employment, volunteering or activity as a Red Cross Member**

- An applicant (for employment or for work as a volunteer) who may be considered for appointment, or a Red Cross Member who is being considered for utilisation, must be asked and must disclose whether they have been charged with a child abuse or exploitation offence;
- Verbal referee checks - a referee for a preferred candidate must always be asked:
  - o if they hold any concerns about the applicant;

- o if complaints were made about the applicant

in connection with working with or having contact with children.

### **Sole traders**

An applicant who may be considered for engagement who is a sole trader (i.e. to be engaged as a contractor or subcontractor) is to be screened in the same way.

### **Personnel of a contractor or subcontractor**

Any personnel of a contractor or subcontractor who will provide services under any contract with Red Cross must be asked and disclose whether they have been charged with a child abuse or exploitation offence as though they were an applicant or preferred applicant for direct employment with Red Cross.

### **Step 2 - An additional screening requirement for any roles which involve working with children:**

Targeted behavioural interview questions, which are specific to positions which involve working or having contact with children, must be included in the interview schedule.

If a person within the Scope of the Policy (set out in Section 2.1) works with children and is required by law to hold a specific 'Clearance Notice' or card issued by a governmental authority in order to work with children (e.g. a 'Blue Card' in Queensland), Red Cross must verify that the person holds that clearance notice or card.

For further information, please refer to the Handbook [insert link].

### **Step 3 – Criminal record or similar checks**

#### **Step 3.1 Criminal record review or declaration**

##### **Preferred applicants for employment, volunteering or activity as a Red Cross Member**

A criminal record review or declaration for a preferred candidate for employment volunteering or activity as a Red Cross Member must cover:

- each country in which the person has lived for 12 months or more in the 5 years preceding the date of review ; and
- the person's country of citizenship.

No Criminal Record Check may be undertaken, unless the person has consented to it being obtained.

The preferred candidate is to be informed:

- that any certificate arising from the Criminal Record Check will be used in connection with determining whether the applicant will be offered the position or work; and
- that the certificate may be made available to funding agencies (for example, DFAT).

### **Sole traders**

A preferred applicant for engagement who is a sole trader (i.e. as a contractor or subcontractor) is to be screened in the same way and on the same terms as a preferred candidate for employment.

### **Personnel of a contractor or subcontractor**

Any personnel of a contractor or subcontractor who will provide services under any contract with Red Cross must be required to undertake a Criminal Record Check in the same way as though they were a preferred applicant for direct employment with Red Cross.

## **Step 3.2 Undertaking the check**

Formal criminal record checks are to be used, unless reliable records are not available or searchable.

### **If formal reliable criminal record checks are available for the relevant country:**

The preferred candidate for employment (or other provision of work or labour services, as noted above) will be required to submit a completed Criminal Record Check, in respect of offences in connection with any aspect of child abuse or exploitation.

A satisfactory Criminal Record Check is a pre-condition of:

- o appointment of the preferred candidate as a staff member, volunteer or Red Cross Member whose services are to be utilised; or
- o engagement of the preferred person as a sole trader contractor or subcontractor, or
- o approval of utilisation of the services of a staff member of a contractor or subcontractor.

### **If formal criminal record checks are not available or reliable for the relevant country:**

The preferred candidate for employment (or other provision of work or labour services) will be asked to sign a legally binding declaration in respect of any criminal record in connection with any aspect of child abuse or exploitation.

A satisfactory declaration is a pre-condition of:

- o appointment of the preferred candidate as a staff member, volunteer or Red Cross Member whose services are to be utilised, or
- o engagement of the preferred person as a sole trader contractor or subcontractor, or
- o approval of utilisation of the services of a staff member of a contractor or subcontractor.

## **C. Records of Recruitment Procedures**

A detailed record of the recruitment is to be maintained (including the response to the request for disclosure of any charges of a child abuse offence, a referee's comments and the outcome of the criminal record check or other process).

## **Annexure 2: Standards of Behaviour - Child Protection Code of Conduct**

### **Introduction**

The Red Cross Child Protection Code of Conduct applies to staff members, volunteers, Members, and sole trader contractors and subcontractors within the Scope of the Child Protection Policy. Its purpose is to set out the standards of conduct and behaviour expected by Red Cross in order to protect children.

### **Defining words used in the Code**

A number of words used in this Code are defined in the Red Cross Child Protection Policy. **You must refer to the definitions**

### **The Policy**

I have read and understood the Red Cross Child Protection Policy.

### **General obligations**

I agree and understand that these obligations apply:

- while I am working for Red Cross or engaged in activities funded by Red Cross;
- when publicly displaying a connection to Red Cross (for example, wearing a t-shirt);
- in situations where I am recognised as a representative of Red Cross; and
- at all times when I am on international placement working in roles and or on projects funded by the Department of Foreign Affairs and Trade.

I will:

- 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;
- not use language or behaviour towards children that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate;
- not engage a child in any form of unlawful sexual activity or acts, including paying for sexual services or acts;
- ensure wherever possible, that another adult is present when working in the proximity of children;
- not sleep close to children unless it is absolutely necessary in which case I will keep my Manager informed and ensure another adult is present, where possible;
- not spend time alone with children who are unrelated to me outside work hours unless I live and work in the same community and come together with those children in the context of my family, social and community life. In this situation, I will continue to be a positive role model and mentor for those children and not discuss private/confidential information concerning them;
- use any computers, mobile phones, video and digital cameras or social media appropriately, and never to exploit or harass children or to access child exploitation material through any medium (see also 'Filming and photographing children and Use of children's images for work related purposes', below);
- 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;
- comply with all relevant local legislation, including labour laws in relation to child labour;
- immediately report concerns or allegations of child abuse and exploitation in accordance with the Red Cross Child Protection Policy or this Code of Conduct and any relevant legislative reporting requirements; and
- immediately disclose all charges, convictions and outcomes of an offence, which occurred before or occurs during my association with Red Cross that relate to child exploitation or abuse.

**Filming and photographing children and Use of children’s images for work related purposes**

I further agree that, while working with Red Cross or engaged in Red Cross activities, and when photographing or filming a child or using children’s images for work-related purposes, I must:

- before photographing or filming a child, 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 a parent or guardian of the child, and wherever possible, I will use the Red Cross Image Release Form, together with a verbal briefing about where and 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; and
- ensure the 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.

Refer to the Child Protection Handbook Annexure: **“Australian Red Cross: Use and Storage of Children’s Images Guidelines”** for further information

**Acknowledgements**

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

I also understand that any breach of the Policy or the Child Protection Code of Conduct is a violation of my obligations and may lead to disciplinary action up to and including dismissal, termination of services, termination of Red Cross membership, legal action, and/or criminal investigation and prosecution.

**Signed:**

Signature	
Date	
Name	
Position	
Organisation	