

**AUSTRALIAN RED CROSS SOCIETY**  
**BOARD POLICY STATEMENT NO. 10 - CHILD PROTECTION**  
**KEEPING CHILDREN SAFE AND WELL**

**Date of Commencement: 24 February 2018**

### Introduction

This Policy sets out the Red Cross child protection principles and objectives, and the obligations of Red Cross People and others within the scope of the policy, to keep children safe and well.

### Scope

In accordance with Annexure 3, this Policy applies to:

- all Red Cross People - staff members, Red Cross Members, volunteers, and work experience students and
- contractors (including sub-contractors and sole traders) and partner organisations who provide services or work with Red Cross in connection with any Red Cross activity which involves working with children, may involve contact with children or may involve access to records relating to children.

### Principles

**Principle 1:** We are committed to supporting child wellbeing and safety and protecting children in our work. To help ensure children are safe and well, we apply a holistic view of children's wellbeing and an understanding of child safe practices.

We recognise:

- Children have the right to feel safe and well, and to be safe and well, at all times.
- Children form one of the most vulnerable groups in our humanitarian work.
- We often work in contexts where children experience heightened vulnerability or whose own circumstances give rise to additional vulnerability, including:
  - Children from Aboriginal and Torres Strait Islander backgrounds and children with cultural and linguistic diverse backgrounds who must be provided special considerations for cultural safety and identity.
  - Children with disability may experience additional vulnerability. These needs require additional consideration.

**Principle 2:** We value and respect children. The best interests and the views of children are central to our decision making and actions. We are committed to upholding the rights of the child and to applying, so far as practicable, the principles of the United Nations Convention on the Rights of the Child.

**Principle 3:** We have zero tolerance for any form of child abuse, neglect or exploitation.

**Principle 4:** We act in accordance with Australian legal standards and obligations and the relevant laws of other countries in which we operate, in the context of international legal conventions, declarations and agreements relating to children's rights and protection.<sup>1</sup>

## Approach

We support children to be and feel well and safe through:

### **1. Facilitating opportunities for children to build on their strengths and enhance their resilience, by:**

- providing opportunities for children to engage in activities that are inclusive, meaningful, safe, and educational.

### **2. Working with their families and communities to prevent and reduce their vulnerability, by:**

- supporting and empowering their families and carers to meet their needs
- minimising the risk of abuse, neglect and exploitation of children in their daily life including support for their families (so far as reasonably practicable) and when in contact with our activities
- actively seeking their participation in our work including design, implementation, monitoring and review.

### **3. Embedding a child safe organisational culture, by:**

- managing the risk of employing or engaging persons who may pose a danger to the safety or wellbeing of children in child-related work
- providing Red Cross People and sole traders with the knowledge and skills to keep children safe and minimise risks to children
- providing easy ways and support to report child protection concerns and take action in response to children's safety, when:
  - there are reasonable grounds to suspect that a child is at risk of child abuse, neglect or exploitation or that child abuse, neglect or exploitation has occurred
  - child abuse, neglect or exploitation has been disclosed

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<sup>1</sup> Including: 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; 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 Organisation Convention 182: Convention Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.

- there are reasonable grounds to consider that a breach of this Policy or of the Child Protection Code of Conduct may have occurred.
- requiring contractors and partner organisations to apply child protection standards in their activity with Red Cross.

## Personal Obligations

### My personal responsibility - keeping children safe and well

As a Red Cross Person or as a sole trader, I am responsible to ensure that I protect the safety and wellbeing of children in my Red Cross activity or work, including:

- when I work with children and/or their families and carers
- when I come into contact with children in my activity or work
- when I supervise others who work with children or have contact with children
- when I have access to records relating to children
- when I have a governance responsibility.

As a Red Cross Person or as a sole trader, I must:

- act in accordance with the Red Cross Ethical Framework
- support and comply with all Red Cross activity in connection with child safety and wellbeing
- comply with the standards of behaviour in the Red Cross Child Protection Code of Conduct
- complete the prescribed child protection training
- undertake regular screening by:
  - providing relevant Working with Children Checks (or Working with Vulnerable Persons Checks), when required to do so by law or by this Policy
  - undertaking a criminal record or police check
  - where suitable checks cannot be obtained from a regulatory body or police, providing a satisfactory statutory declaration.

### *What should I do if I have a concern about child abuse, neglect or exploitation that arises during my engagement with Red Cross?*

I may have reasonable grounds to suspect a child is at risk of child abuse, neglect or exploitation or that child abuse, neglect or exploitation has occurred.

In addition, child abuse, neglect or exploitation may have been disclosed to me.

If any of these things happen, I must immediately:

- report those matters to my line manager or key Red Cross contact person for my role (if possible through Red Cross online system Report It or by submitting a written child protection incident form) and
- where reasonable and practicable, provide or arrange for the safety of the child and, where available, follow up support.

**In addition:**

**If I am required by law to report child abuse, child neglect, or child exploitation to the relevant police or child protection authority, I will do so.**

**If I am required by Red Cross contractual obligations to report child abuse, child neglect, or child exploitation to the relevant funding partner, I will do so.**

Where my concern relates to my line manager or Red Cross contact person, I can report this to another person, including Human Resources and any Leadership Team member.

***What if I am uncertain about what to do or have concern about reporting?***

If I am:

- uncertain about what to do, including whether I must report a matter to the police or a child protection authority and/or
- worried about the consequences of making a report for the safety of a child, family and/or Red Cross people and related parties,

I will contact my line manager or nominated Red Cross contact person, my local Child Safety Contact Officer or a Human Resources team member, for support and assistance.

If I am unsure who to speak with, I will call the Red Cross Supporter Services Centre, so I can be referred to the most appropriate person to speak with: on 1800 811 700.

**Red Cross Obligations**

***Providing child safe environments***

We do not permit any person to work with or have contact with children, or have access to records relating to children, if that person poses an unacceptable risk to children’s safety or wellbeing.

In all our programs and services:

- we undertake risk assessments that include child protection risks, mitigation activities and monitoring processes
- we inform children and their families of:
  - their rights to feel safe and well, and to be safe and well, at all times

- our child protection reporting obligations
- our feedback and complaints processes
- we include suitable and relevant child protection requirements in contracts, agreements and other arrangements with partners and contractors (including sub-contractors and sole traders).

### ***Responding to concerns for children’s safety***

In all our activities:

- we treat a report of child exploitation, neglect, or abuse, or of a breach of this Policy and the Child Protection Code of Conduct, seriously
- we ensure that the safety and wellbeing of the child and their dignity and rights remain the overriding concern at all times
- we undertake all required notifications and, where relevant, we conduct an internal investigation and follow-up as required
- we work to ensure that all parties are treated fairly.

### ***False or malicious report***

Any Red Cross Person who knowingly makes a false report, or makes a malicious report, may be subject to any applicable disciplinary action including dismissal or other appropriate action.

A sole trader, contractor or subcontractor who knowingly makes a false report, or makes a malicious report, may be subject to termination of contract.

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

We have the right to dismiss any Red Cross staff member or terminate the services of a volunteer, or suspend or transfer them to other duties or undertake other disciplinary action, if they breach this Policy or the Child Protection Code of Conduct.

A breach of or failure to comply with the Policy may result in a range of actions including:

- legal action
- criminal investigation and prosecution
- dismissal (if a staff member) or termination (if a volunteer or member)
- for a contractor who is a sole trader – termination of contract
- for personnel of a partner organisation, or other contractor or a subcontractor (“organisation”)
  - a direction to the organisation requiring cessation of the services of the person concerned, and/or
  - termination of the contract or other arrangement with the organisation.

### ***Helping to apply the Policy***

The attached Annexures provide further detail:

**Annexure 1: Child Protection Code of Conduct** – the standards of conduct and behaviour expected to protect children and ensure their safety and wellbeing. It applies to everyone within the Scope of the Child Protection Policy.

**Annexure 2: Definitions** – the glossary for use when reading the Policy and the Child Protection Code of Conduct.

**Annexure 3: Scope** – this details **who** is within the scope of this policy.

**Annexure 4: Responsibilities and Implementation** – each person within the scope of this Policy is required to comply with this Policy.

**Annexure 5: Child Safe Recruitment and Engagement** – applies to recruitment and engagement of any person or contractor within the scope of this Policy.

**Annexure 6: Other Red Cross Policies** – includes reference to relevant Red Cross policies.

If you require more detail or operational knowledge in relation to this policy and any of these topics, please refer to the Child Protection Handbook.

**Review of Policy**

Monitoring application of the policy is the responsibility of the Executive Team.

<b>Version</b>	<b>Author</b>	<b>Approved by the Board</b>	<b>Planned Review</b>
<b>1.0</b>	National Lead Child Protection	October 2015	October 2017
<b>2.0</b>	Director Community Programs	[Date]	February 2021

## Annexure 1 Standards of Behaviour - Child Protection Code of Conduct

### Introduction

The Red Cross Child Protection Code of Conduct sets out the standards of conduct and behaviour expected by Red Cross in order to protect children and to ensure their safety and wellbeing. It applies to everyone within the scope of the Child Protection Policy.

To read and understand the Child Protection Code of Conduct below, please refer to the definitions set out in Annexure 2: Definitions.

**NOTE:** The Red Cross Senior Child Protection Adviser may authorise the application of other Child Protection Code of Conduct terms, if they may be more suitable in the circumstances. Examples include tailoring the Child Protection Code of Conduct terms for fundraising and community events after a risk assessment has been completed.

### Red Cross Child Protection Code of Conduct

#### **The Policy**

*I have read and understood the Red Cross Child Protection Policy: Keeping Children Safe and Well.*

#### **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 I am 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*
- *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 (“DFAT”).*

*I will:*

- *treat all children with respect*
- *respect cultural, religious and political differences and act in a culturally sensitive way*

- *not use language or behaviour towards children (including on-line behaviour) 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*
- *wherever possible, ensure that another adult is present when I am working near children*
- *not invite unaccompanied children into private residences, unless they are at immediate risk of injury or in physical danger*
- *not sleep close to unsupervised children unless absolutely necessary, in which case the supervisor's permission must be obtained, and ensuring that another adult is present if possible (noting that this does not apply to my own children)*
- *never use any computers, mobile phones, video cameras, cameras or social media 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*
- *comply with all relevant Australian and local legislation, including labour laws in relation to child labour*
- *immediately report concerns or allegations of child exploitation, abuse and neglect, and policy non-compliance in accordance with appropriate procedures*
- *immediately disclose all charges, convictions and other outcomes of an offence that relates to child exploitation and abuse, including those under traditional law, which occurred before or occurs during association with Red Cross*
- *be aware of behaviour and avoid actions or behaviours that could be perceived by others as child exploitation and abuse.*

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

- *take care to ensure local traditions or restrictions for reproducing personal images are adhered to 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. An explanation of how the photograph or film will be used must be provided*
- *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.

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 neglect, 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:**

<i>Signature</i>	
<i>Date</i>	
<i>Name</i>	
<i>Position</i>	
<i>Organisation</i>	

## Annexure 2: Definitions

### Glossary

Adult	A person aged 18 years or more.
Carer or caregiver	A person who has responsibility for a child including: <ul style="list-style-type: none"> <li>• a foster or kinship out of home carer</li> <li>• a Red Cross Person in that capacity</li> <li>• a sole trader or contractor in that capacity</li> </ul>
Child	A person under the age of 18 years.
Child abuse	One or more of the following in relation to a child: <ul style="list-style-type: none"> <li>• physical abuse</li> <li>• sexual abuse</li> <li>• emotional abuse (includes exposure to domestic and family violence )</li> <li>• neglect.</li> </ul> <p><i><u>Note:</u> the Policy uses the phrase `child abuse, neglect and exploitation` to refer to the suite of concerns, as some readers may not understand that neglect is a form of child abuse.</i></p> <p><i><u>Note:</u> DFAT also use the term `ill-treatment`. Behaviour included in this term is sufficiently addressed by `emotional` and/or `physical` abuse, noted above.</i></p>
Child abuse material	Material that depicts (expressly or implicitly) a child as a victim of torture, cruelty or physical abuse.
Child exploitation	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> <li>• using a child for profit, unlawful labour, sexual gratification, or some other personal or financial advantage.</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 designed to protect children from any form of harm, particularly that arising from child abuse, neglect and exploitation or responding to a specific incident of child abuse, neglect or exploitation.
Contact with children	Physical contact, or oral or written communication (including electronic communication).
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 individual or sole traders (such as consultants).
DFAT	Department of Foreign Affairs and Trade (or any subsequent Department of the Australian Government, with responsibility for foreign or external affairs).
DFAT Child Protection policy	DFAT Child Protection Policy 2017, as varied or replaced by DFAT.
Emotional abuse <sup>2</sup>	<p>The serious psychological harm that can occur where the behaviour of their parent or caregiver damages the confidence and self-esteem of the child or young person, resulting in serious emotional disturbance or psychological trauma.</p> <p>Although it is possible for 'one-off' incidents to cause serious harm, in general it is the frequency, persistence and duration of the parental or carer behaviour that is instrumental in defining the consequences for the child or young person.</p> <p>This can include a range of behaviours such as excessive criticism, withholding affection, exposure to domestic violence, intimidation or threatening behaviour.</p>
Grooming	Behaviour that makes it easier for an offender to procure a child for sexual activity, including online grooming.
Handbook	Australian Red Cross Child Protection Handbook.
Informed consent	Consent given by a child, parent or guardian with an informed understanding of the implications, purpose and potential uses of photographs or videos.
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; or of sending an electronic message with indecent content to a recipient who the sender believes to be under 16 years of age.

<sup>2</sup> (NSW Family and Community Services 15-12-17) <http://www.community.nsw.gov.au/preventing-child-abuse-and-neglect/what-is-child-abuse>.

Neglect <sup>3</sup>	The continued failure by a parent or caregiver (including those within the scope of this Policy) to provide a child with the basic things needed for his or her proper growth and development, including sufficient attention and responsiveness, items such as food, clothing, shelter, medical and dental care and adequate supervision appropriate to the age and needs of the child.
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 employee or other person providing services.
Physical abuse <sup>4</sup>	A non-accidental injury or pattern of injuries to a child or young person caused by a parent, caregiver or any other person. It includes but is not limited to injuries which are caused by excessive discipline, severe beatings or shakings, cigarette burns, attempted strangulation and female genital mutilation. Injuries include bruising, lacerations or welts, burns, fractures or dislocation of joints.  <u>Note:</u> In relation to ‘excessive discipline’, hitting a child or young person around the head or neck and/or using a stick, belt or other object to discipline or punish a child or young person (in a non-trivial way) is a crime in some states.
Red Cross	Australian Red Cross Society (ABN 50 169 561 394).
Red Contact person	The person nominated as the main point of contact for contractors (including sole traders), partners, volunteers and Red Cross Members.
Red Cross Member	A person who is a member of Red Cross in accordance with the Rules of Red Cross.
Red Cross People	Employees and volunteers engaged by Red Cross or a Red Cross Member.
Red Cross Person	An employee or volunteer engaged by Red Cross or a Red Cross Member.
Sexual abuse <sup>5</sup>	When someone involves a child in a sexual activity by using their power over them or taking advantage of their trust. Often children or young people are bribed or threatened physically and psychologically to make them participate in the activity.
Sole trader	An individual 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.

<sup>3</sup> (NSW Family and Community Services website 15-12-17) <http://www.community.nsw.gov.au/preventing-child-abuse-and-neglect/what-is-child-abuse>.

<sup>4</sup> Ibid.

<sup>5</sup> Ibid.

Unacceptable risk	An identified risk that cannot be tolerated and is not appropriate for use of control mechanisms.
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>• provides voluntary service with the agreement of Red Cross as defined and required by the Red Cross Volunteer Framework or</li> <li>• provides voluntary service as a member of: <ul style="list-style-type: none"> <li>o the Board of Red Cross</li> <li>o a Committee of the Board</li> <li>o a Divisional Advisory Board</li> <li>o a Committee of a Divisional Advisory Board.</li> </ul> </li> </ul> <p>A 'volunteer' does not include any person who is a blood donor, organ donor, 'umbilical cord' donor, milk donor or tissue donor with the Australian Red Cross Blood Service.</p>
Wellbeing (well)	The ability for a child to realise their own potential, or self-agency, to better cope with the normal stresses of life, to live and learn productively and to be an active part of a community.
Work experience student	<p>A student who is engaged in activities of Red Cross as a consequence of participating in a course of formal study, including:</p> <ul style="list-style-type: none"> <li>• a school-based work experience program</li> <li>• a TAFE/University or other accredited educational provider of work experience</li> <li>• a compulsory work placement program</li> <li>• a government labour market work experience program</li> <li>• internships.</li> </ul>
Working with children	<p>Being engaged in an activity with a child, where:</p> <p>(a) contact with a child would reasonably be expected as a normal part of the activity and the contact is not incidental to the activity, under the position description or due to the nature of the work environment, <b>and</b></p> <p>(b) (i) a "Working with Children" clearance notice or card is required under an applicable State or Territory law <b>or</b></p> <p>(ii) Red Cross determines that the work constitutes working with children under the position description or due to the nature of the work environment, as set out in the Handbook, or as otherwise determined by the Director, Community Programs.</p> <p>Contact in this context is physical contact, or oral or written communication (including electronic communication).</p>

## Annexure 3: Scope and Application

### Scope of this Policy

This Policy applies to all work undertaken on behalf of Red Cross.

*These groups are within the scope of this Policy regardless of what they do:*

- staff members
- staff members engaged in the International Humanitarian Blood Program of Red Cross
- volunteers.

*These groups fall within the scope of this Policy if they are likely to have contact with children, are likely to work with children or are likely to have access to any record relating to children:*

- work experience students
- Red Cross Members
- contractors or sub-contractors who, as sole traders, personally provide services to or work in connection with any activity of Red Cross
- contractors or sub-contractors who provide services to or working in connection with any activity of Red Cross
- partner organisations providing services to or working with Red Cross.

### Application of this Policy

#### *Application to sole traders*

If a sole trader enters into an agreement with Red Cross, the agreement must require that the sole trader comply with child protection requirements of this Policy, as applicable to the specific engagement.

#### *Application to contractors, sub-contractors of contractors and partner organisations, for activity inside Australia*

If a contractor or partner organisation in Australia enters into an agreement with Red Cross, that agreement must require that the contractor or organisation:

- must apply its own Child Protection Policy, if that policy complies with the standards and procedures set out or referred to 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 or

- enter into contractual arrangements with Red Cross providing for child protection obligations to be undertaken by the contractor which are in accordance with this Policy.

Through the agreement between Red Cross and a contractor, any sub-contractor must be required to:

- apply its own Child Protection Policy, if that policy complies with the standards and procedures set out or referred to 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 or
- enter into contractual arrangements with the contractor, providing for child protection obligations to be undertaken by the sub-contractor which are in accordance with this Policy and subject to approval by Red Cross.

#### ***Application to partner organisations, for activity outside Australia***

##### ***Partner Organisation outside Australia funded by DFAT***

Any partner organisation outside Australia which is within the scope of this Policy and enters into arrangements with Red Cross to undertake an activity which is funded by DFAT, must have and implement a Child Protection Policy which complies with the DFAT Child Protection Policy standards. This must be set out in agreement between Red Cross and the partner organisation.

##### ***Specific arrangements for multilateral organisations and bilateral donor partners:***

The relevant scope of the DFAT Child Protection Policy is as follows:

“Multilateral organisations and bilateral donor partners funded by DFAT are expected to act in accordance with the policy principles outlined in [the DFAT policy]. They must also abide by their own relevant policies, international declarations, conventions, agreements, and domestic legal frameworks, which seek to protect children.”

##### ***Partner Organisation outside Australia not funded by DFAT***

A partner organisation outside Australia which enters into arrangements with Red Cross to undertake an activity which is not wholly or partly funded by DFAT:

- must have and implement a Child Protection Policy which complies with the standards and procedures set out in this Policy, as set out in agreement between Red Cross and the partner organisation or
- Red Cross must conduct an initial risk assessment of the partner organisation and their activities must be undertaken and the partner organisation must demonstrate to the reasonable satisfaction of Red Cross that it is working towards establishing and implementing appropriate child protection standards and processes or

- enter into contractual arrangements with Red Cross providing for child protection obligations to be undertaken by the partner organisation which are in accordance with this Policy.

### Exclusions

The Policy does **not** apply in the following context:

- People engaged by or work with the Australian Red Cross Blood Service (other than a staff member who is engaged in the International Humanitarian Blood Program of Red Cross).
- In some instances the CEO may determine that this Policy is not to be applied to a partner organisation in a Red Cross response to an international emergency, if:
  - 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)
  - the funds are provided to ICRC for the emergency response
  - a risk assessment in relation to child protection has been undertaken
  - the proposed partner organisation has child safe organisation processes to mitigate identified risks and reasonably protect the interests of children in the context.

If the partner organisation is a multilateral organisation or a bilateral donor funded by DFAT, and the funding to the body provided by Red Cross is DFAT funding, the expectations set out in the DFAT Policy in relation to these bodies apply.

## Annexure 4: Risk Management

### 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 any records relating to children.

Child protection risks are assessed across Red Cross operations:

- in development of job descriptions
- in recruitment screening processes (see Annexure 5)
- 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
- document steps to be taken to reduce or remove risks and
- be reviewed and updated annually (or more often if required) over the life of assessed activities.

### Organisational assessment

This Policy is to apply to partner organisations and any other contractors or subcontractors within the scope of the Policy as follows:

- Red Cross must undertake a child protection risk 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).
- A 'partnership arrangement' is an arrangement under which the proposed partner would become a partner organisation or other contractor or subcontractor supplying services to or working with Red Cross.
- Existing partnership arrangements are also required to comply with this Policy.
- Red Cross will not enter into a partnership arrangement unless the proposed partner organisation satisfies the requirements of this Policy.

Engagement of individual sole traders is covered in Annexure 5.

### Managing risks for any exceptions to the full requirements of this Policy

In some circumstances, Red Cross may decide to carve out certain obligations in relation to this Policy.

In these instances, a determination may be made by the relevant Manager in consultation with the Senior Child Protection Adviser to apply only some of the measures required by the Policy 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)

***If:***

- a risk assessment is carried out in accordance with the procedures set out in the Child Protection Handbook as well as the Red Cross risk framework and
- after the risk assessment has been conducted and controls and mitigation mechanisms have been applied, the residual risk is assessed as being low.

The standard child protection risk assessment tool (the 'risk assessment') is set out in the Handbook.

***Example:***

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).

**Overall, any exception or carve outs to the requirements of this Policy may only be implemented by the relevant Manager with the approval of the Senior Child Protection Adviser.**

## **Annexure 5: Child Safe Recruitment or Engagement**

This Annexure applies to recruitment of any person within the scope of this Policy. Recruitment of an individual person within the scope of this Policy is to be undertaken in accordance with the following other relevant Red Cross policies:

- the Recruitment and Selection Policy (HR ATT 01)
- the Police Check Policy (HR ATT 04)
- the Work Experience Policy (HR DEV 04)
- Finance - Procurement Policy (2017)
- this Annexure

This annexure provides additional information on key aspects of child safe recruitment and engagement to supplement the above policies. Any changes to the child protection information in the above policies requires approval by the Director, Community Programs.

### **General provisions**

#### ***Advertising for all staff and volunteer roles***

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.

#### ***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.

### **Screening for roles**

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

A Working with Children Check is required if a person within the Scope of this Policy 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) in accordance with the applicable legislation.

Red Cross must verify:

- that the person holds that clearance notice or card before the person commences their activity or
- that the person has submitted an application in accordance with the relevant legislation if, under the relevant legislation, submitting the application authorises the person to commence child-related work.

Red Cross may require a Working with Children Check to be provided, even if the Check is not required by legislation, if the relevant regulatory authority will issue the Check upon application. (Please refer to the definition of 'working with children' in Annexure 2 for circumstances in which Red Cross may determine that a Working with Children Check is required as Red Cross policy.)

These provisions also apply to those States and Territories in which Working with Vulnerable Persons Checks are required.

### *Interview question*

If:

- an applicant (for employment, or for work as a volunteer) is being considered for an offer of employment or work or
- a sole trader is being considered for an offer of engagement as a contractor or
- a Red Cross Member is being considered for utilisation

they must be asked and must disclose whether they have been charged with a child abuse, neglect or exploitation offence (the question and the response must be documented and filed).

In the case of an applicant for a volunteer role, these questions are to be asked only in accordance with the Volunteering Framework.

### *Additional interview questions where the role involves working with children*

Where the role involves working with children (as defined in the Policy), an applicant being considered for an offer of employment or work must be asked behavioural interview questions, which are specific to the nature of their role with children.

The questions and the responses must be documented and filed.

### *Referee check*

Preferred applicants for employment, volunteering (where there is a contractual or legal obligation), or sole traders must in addition undergo verbal referee checks.

A referee for a preferred candidate must always be asked if they hold any concerns about the applicant and if complaints were made about the applicant in connection with working with or having contact with children.

Preferred applicants for employment, volunteering, or sole traders who will provide services under any contract with Red Cross must (1) undergo a Criminal Record Check **or** (2) provide a declaration.

### *Criminal Record Check*

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

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

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

For further detail in relation to how the criminal record review is to be conducted and what it has to cover, please refer to the Handbook and the Police Check Policy (HR ATT 04).

### *Declaration - If formal criminal record checks are not available or reliable*

In limited circumstances, it may prove impossible to obtain a reliable criminal record check in or from other countries. A statutory declaration, or local legal equivalent, outlining efforts

made to obtain a foreign police check, and disclosing any charges and, if permitted by law, spent convictions related to child exploitation, may be accepted instead.

The preferred candidate for employment, volunteering (where required under the Volunteering Framework), or sole trader 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:

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

### ***Records of Recruitment Procedures***

A 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 (in the case of volunteers, only where applicable under the Volunteer Framework) and the reference number and date of the criminal record check or other process.

## **Annexure 6: Related Red Cross Documents**

- Ethical Framework
- HR ATT 01 – Recruitment and Selection Policy
- HR ATT 04 – Police Check Policy
- HR DEV 04 – Work Experience Policy
- IT – Computer and electronic devices use policy
- Finance – Procurement Policy
- Child Protection Handbook
- Volunteer Framework