

Beyond Essential Systems

CHILD PROTECTION POLICY

Version date: November 2018

Beyond Essential Systems (BES) has a zero-tolerance policy regarding any employees that engage in or support child exploitation and abuse including possession of child exploitation material. The company will not permit a person to work with children if they pose an unacceptable risk to children's safety or wellbeing.

This policy regarding child protection and guidance applies to all BES employees, sub-contractors/consultants, grantees and volunteers, as well as partners, and associates of sub-contractors/consultants, grantees and volunteers.

Managers are required to introduce this Policy to their staff and to be responsible for adapting the systems and processes necessary for operating effectively in line with the Policy. All staff should be aware of, understand and agree to comply with all the content and procedures contained in this document.

Violation of this policy may result in responses including, but not limited to, removal from the contract, transfer of the employee to other duties or termination of employment. We will report suspicions of abuse to relevant statutory bodies, clients and local authorities as required.

1. Related Policy

This policy is intended to be read in conjunction with all other BES policies and guidelines and those policies and guidelines of our contract partners and recipient partners.

2. Department of Foreign Affairs and Trade (DFAT) Requirements

BES endorses and supports the DFAT Child Protection Policy of June 2014. DFAT is the Australian Government agency responsible for managing Australia's overseas aid program. The Child Protection Policy articulates DFAT's zero tolerance approach to child exploitation and abuse. It provides a framework for managing and reducing risks of child exploitation and abuse by persons engaged in delivering aid program activities.

Contractors, civil society organisations, sub-contractors, grantees and volunteers funded by DFAT to implement aid activities overseas must meet DFAT's child protection compliance standards in their operations and must also apply the relevant standards to any partners, subcontractors, associates or consultants they may engage. DFAT has indicated they will not fund organisations or individuals without appropriate mechanisms in place to protect children from abuse.

In addition to other remedies available to the government, BES' failure to comply with this policy may render BES subject to:

- Required removal of the BES employee or employees from the performance of the contract; or
- Required subcontractor termination.

BES shall include the substance of this policy in all subcontracts for the acquisition of services under the contract.

3. What is Child Abuse?

For the purpose of this policy, a child will be considered a person under the age of 18 years. Child exploitation or abuse consists of anything which individuals, institutions, or processes do or fail to do which directly harms children or damages their prospects of safe and healthy development into adulthood.

Children can be abused in several different ways. Abuse can be physical, emotional or mental, injury or sexual; maltreatment; or exploitation. Abuse can also include neglect and harassment including bullying.

Who is most likely to abuse a child?

- Someone who is known to the child
- Someone who the child trusts
- Someone who the family trusts, i.e. not a stranger.

Effects of Child Abuse

Child abuse damages children physically, emotionally and behaviourally. The initial and the long-term effects affect the individual, their family and the community.

Initial effects of child abuse may include:

- Medical problems such as sexually transmitted diseases, pregnancy and physical injury
- Emotional problems such as guilt, anger, hostility, anxiety, fear, shame, lowered self-esteem
- Behavioural problems such as aggression, delinquency, nightmares, phobias, eating and sleeping disorders
- School problems and truancy.

Long-term consequences may include:

- Sexual dysfunction
- Promiscuity
- Prostitution
- Discomfort in intimate relationships
- Isolation
- Marital problems
- Low self-esteem
- Depression
- Mental health problems

4. Contact with Children and Working with Children positions

DFAT has defined 'Contact with Children' as working 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. Most aid activities, including research activities, would bring personnel into contact with children, either directly or indirectly, through interaction with communities.

Activities that may involve personnel working with children include (but are not limited to):

- Activities working with homeless children, with sex workers or in women's refuges
- Disaster responses (natural and conflict related)
- Formal and informal education activities with children, including in preschools, primary and secondary schools and communities
- Recreational activities, including in children's clubs, youth groups or the organisation of sports for children
- Health activities, particularly those that focus on mothers' or children's health
- Health research or program implementation activities that bring staff members into health facilities, including hardware installation, software implementation, training, monitoring and evaluation and computer repairs

5. Child-safe recruitment and screening processes

BES has robust human resources and recruitment procedures to assist with the targeted selection of suitable and qualified staff. BES continues to enhance and improve these processes.

All potential personnel candidates (including volunteers) who will be in contact with children will be informed at the time of interview that hiring will be contingent on a criminal record check and if this is unlikely to provide reliable information, they will also be required to make a Statutory Declaration.

For all personnel (including volunteers) who may come in contact with children through their position description or due to the nature of the work environment, recruiting personnel are to employ the following screening processes:

- Informing candidates, prospective employees and sub-contractors of BES' Child Protection Policy
- Verbal referee checks incorporating questions regarding previous work with children
- Police background check (criminal record check) for any conviction related to abuse of children or adults prior to engagement

1 To at least match DFAT minimum requirements, per end note 5, Page 20, DFAT Child Protection Policy (originally released January 2013, reprinted June 2014):

- Checking two forms of identification
- Asking for a verified academic transcript of qualifications.

6. Incident management

In Australia, any person who has knowledge of a potential child protection issue involving BES must immediately contact a BES Director and the BES Child Protection Officer, who will follow BES' reporting protocols and ensure the safety of the child.

Internationally, any person who has knowledge of a potential child protection issue involving BES must immediately contact the BES Project Manager, Local Team Leader or BES Project Executive, who will follow BES reporting protocols and ensure the safety of the child.

Furthermore, individual projects will adopt the BES reporting procedure and adapt to suit any specific requirements of the Client or the project.

In the event of an incident of suspected child abuse, child exploitation or policy non-compliance, BES management will immediately put into effect internal reporting steps; seek instructions, where required, from BES management/legal staff; report to local authorities and the Client as required; and also give due regard to the appropriateness of informing local law and judicial mechanisms where this is not a requirement. If an expatriate is suspected, due regard must be given to the potential for extra-territorial proceedings by the expatriate's country of origin. If the accused is an Australian working internationally and the incident involves suspected child abuse or child exploitation, the Australian Federal Police will also be contacted.

Additional DFAT requirements

The Project Manager (or designee) shall inform the Child Protection Compliance Section, immediately of:

- Any information BES receives from any source (including host country law enforcement) that alleges a BES employee/sub-contractor is suspected of being engaged in conduct that violates their Child Protection Policy; and
- Any action taken against employees pursuant to this policy

7. Implementation

7.1. Behavioural Code of Conduct

All BES staff and sub-contractors must read, agree to and abide by the following behavioural conduct while engaged in BES work, including visiting BES projects or programs.

DO

- Conduct yourself in a manner consistent with BES' values and Ethics, and being a representative of BES.
- Follow organisational policy and guidelines regarding the safety of children as outlined in this Child Protection Policy.
- Treat all people with respect and take notice of their reaction to your tone of voice and manner.
- Treat with the utmost importance the confidentiality of the children in BES' programs.
- Raise all concerns, issues and problems with your manager as soon as possible.

- Make sure all allegations or suspicions of abuse, exploitation and/or policy non-compliance are recorded and acted upon.
- Avoid being alone with a child/children; where possible, have at least two adults present when interacting with children.
- Act professionally in your relationships with minors and children

DO NOT

- Copy or take child photographs from the workplace to home.
- Copy or take a child's personal details home or to another unauthorised person.
- Be alone with a child.
- Engage in rough physical games including horseplay.
- Hold, kiss, cuddle, fondle or touch children in an inappropriate and/or culturally insensitive way.
- Make sexually suggestive comments to a child, even as a joke.
- Do things of a personal nature that a child can do for themselves, such as going to the toilet or changing clothes.
- Spend time alone with a child. Always ensure that another adult is present.
- Take a child to your home or encourage meetings outside the program activity.
- Hire children as house help.
- Give children alcohol, cigarettes or illegal drugs
- Provide a lift in a vehicle to a child except with another adult present and with the explicit permission of their parent/guardian

All BES staff and sub-contractors must complete and sign the written Agreement in Exhibit B.

7.2. DFAT projects

All employees working on or tendering for DFAT contracts are to be aware of this BES Policy and the DFAT Policy.

7.3. Local country implementation

BES Project Executives, Project Managers and Team Leaders/Operations Managers – with support, where applicable, from BES Management – are responsible for ensuring that child protection risk assessment, management and reporting procedures are developed based on the BES documents and are implemented to protect children from abuse. This includes development of a plan to monitor implementation, and a response plan for handling any allegation or suspicion of misconduct toward children.

These policies are to be consistent with the required standards set forth in this document and developed with the assistance of local legal counsel in accordance with the laws of the country in which BES operates. In the absence of local laws or legal counsel, BES' Legal Advisors (Eastern Bridge Pty Ltd) or the DFAT Child Protection Officer should be contacted for assistance.

Per clause 7.1, all project employees are to complete a written acknowledgement specified below. The aforementioned guidance is also applicable if a modification containing the DFAT policy is issued to an existing contract.

Project Managers are responsible for including the DFAT Policy clause in all applicable subcontract documents

8. Policy Compliance and Review

BES will monitor compliance with the policy through new and existing methods, including performance assessments and reviews. For positions identified as 'working with children' BES will request updated criminal record checks every 24 months.

DFAT or another government agency may audit BES' compliance with the DFAT Child Protection Policy. Therefore, it is imperative that the Project Managers and employees are aware of their responsibilities.

BES shall review this policy every five years, or earlier if warranted.

ACKNOWLEDGEMENT

BES Child Protection Code of Conduct

I, _____, engaged by BES acknowledge that I have read and understand the BES Child Protection Policy 2018, and agree that in the course of my association with BES, 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
- Comply with all relevant Australian and local legislation, 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
- Immediately disclose all charges, convictions and other outcomes of an offence, which occurred before or occurs during my association with BES that relate to child exploitation and abuse or violence of any kind.

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 BES, to use common sense and avoid actions or behaviours that could be construed as child exploitation and abuse.

Employee Name: _____

Employee Signature: _____

Date: _____