

Child and Vulnerable People Protection Policy

REACH for Nepal Foundation



Version 1.0

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Introduction and Preamble

Reach for Nepal (RFN) was established in the aftermath of Nepal's 2015 earthquakes with a mission to Rebuild, Educate, Assist, Children/Communities (providing) Hope for Nepal. While the provision of aid was the initial focus of the work of the Foundation, its programs have since expanded and now include the delivery of services and support in areas where there is a desperate need for assistance.

In fulfilling this mission, the Foundation engages locally with Nepalese communities, including persons who could be considered vulnerable. The Foundation also enlists the support of domestic and international volunteers who, at times, may also at risk of vulnerability. To mitigate the risks associated with working with vulnerable people, the Foundation has developed its *Child and Vulnerable People Protection Policy*. It is a requirement of all persons working to, volunteering for, or otherwise associated with the Foundation to abide by the requirements within this policy framework.

Guiding principles

RFN is guided by Australia's obligations under the Convention on the Rights of a Child.¹

RFN is committed to the safety and wellbeing of all children and vulnerable people. The Foundation believes that all children should be equally protected regardless of their age, gender, race, religious or political beliefs, physical or mental health, disability, sexual orientation, culture, economic status or criminal background, or family and social background. We support the rights of children and will act to ensure a child safe environment is maintained.

Policy Statement

1. All people, regardless of their age, gender, race, religious or political beliefs, physical or mental health, disability, sexual orientation, culture, economic status or criminal background, or family and social background, have equal rights to protection from all forms of violence, abuse, neglect, maltreatment or exploitation by employees and other persons whom the company is responsible for.
2. RFN commits to promoting and protecting the welfare and human rights of people that interact with, or are affected by, its work – particularly those that may be at risk of violence, abuse, neglect, maltreatment or exploitation. RFN has no tolerance for violence, abuse, neglect, maltreatment or exploitation.
3. All staff and volunteers of RFN share responsibility for protecting everyone from violence, abuse, neglect, maltreatment or exploitation – including those who volunteer with the Foundation.

¹ Attorney General's Department, '[International Human Rights System](#)', accessed 13 October 2019.

Code of Conduct

All persons working to, volunteering for, or otherwise associated with the Foundation are responsible for maintaining a professional role with children and vulnerable people, which means establishing and maintaining clear professional boundaries that serve to protect everyone from misunderstandings or violation of the professional relationship.

All persons working to, volunteering for, or otherwise associated with the Foundation should conduct themselves in a manner consistent with their role as a RFN representative and will act as a positive role model to children and vulnerable persons.

RFN has developed this Child and Vulnerable People Protection Policy to protect children, vulnerable people, staff, volunteers and the Foundation by providing clear behavioural guidelines and expectations, they are:²

I WILL:

- Conduct myself in a manner that is consistent with the values of the Foundation.
- Provide a welcoming, inclusive and safe environment for all children and vulnerable people.
- Respect all children and vulnerable people and treat them equally regardless of gender, race, religious or political beliefs, age, physical or mental health, sexual orientation, disability, family and social background and culture, economic status or criminal background.
- Encourage open communication between all children, vulnerable people, staff and volunteers and have children and vulnerable people participate in the decisions that affect them.
- Immediately report any concerns of child abuse or breach of the Child and Vulnerable People Protection Policy or this Code of Conduct.
- 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 during, my association with the Foundation.
- Take responsibility for ensuring that I am accountable and do not place myself in positions where there is a risk of allegations being made. This includes, wherever possible, ensuring that another adult is present when working near children or vulnerable people.
- Self-assess my behaviours, actions, language and relationships with children and vulnerable people.
- Comply with all relevant Australian and Nepalese child protection legislation, including labour laws in relation to child labour.
- Comply with the Foundation's Child and Vulnerable People Protection Policy and this Code of Conduct.

² ACFID, '[Guidelines for the Development of a Child Safeguarding Policy: ACFID Code of Conduct](#)', pgs 25-26, accessed 7 November 2019.

I WILL NOT:

- Engage in behavior that is intended to shame, humiliate, belittle, degrade or exploit children or vulnerable people.
- Use language or behavior towards children that is inappropriate, harassing, abusive, sexually provocative, discriminatory, demeaning or culturally inappropriate.
- Do things of a personal nature that a child or vulnerable person can do for themselves, such as assistance with toileting or changing clothes.
- Invite unaccompanied children or vulnerable persons into my home/accommodation or other private location, unless they are at immediate risk of injury or in physical danger.
- Sleep in the same room or bed as a child or vulnerable person.
- Smack, hit or physically assault or physically punish children or vulnerable people.
- Involve children or vulnerable people in sexual relationships or any form of sexual activity, including paying for sexual services.
- Develop relationships with children or vulnerable people that may be deemed exploitative or abusive.
- Give children or vulnerable people with alcohol or drugs.
- Show favouritism through the provision of gifts or inappropriate attention; behave provocatively or inappropriately with a child or vulnerable person.
- Condone or participate in, behaviour of children that is illegal, unsafe or abusive.
- Act in a way that shows unfair and differential treatment of children or vulnerable person.
- Hold, kiss, cuddle or touch a child or vulnerable person in an inappropriate, unnecessary or culturally insensitive way.
- Seek to make contact and spend time with any child or vulnerable person outside the program times.

Definitions

abuse includes physical, sexual, and emotional abuse; neglect; bullying; child labour and violence towards a child or vulnerable person³

child has the meaning ascribed to it by UNICEF⁴

exploitation means the use of a child or vulnerable person in work or other activities for the benefit of others that are to the detriment of the child's physical and mental health, education, or moral and social-emotional development. It includes, but is not limited to, child labour, child trafficking and child sexual exploitation

³ For the purposes of this document, physical, emotional and sexual abuse have the meaning ascribed to them in the ACFID '[Guidelines for the Development of a Child Safeguarding Policy: ACFID Code of Conduct](#)', pg 24, accessed 7 November 2019.

⁴ UNICEF defines a child as any individual under age 18, regardless of whether the national age of majority is younger. See [UNICEF Child Safeguarding Toolkit](#), accessed 08 October 2019.

neglect means the persistent failure or the deliberate denial to provide a child or vulnerable person with clean water, food, shelter, sanitation or supervision or care to the extent that the child's health and development are placed at risk

maltreatment means the cruel or violent treatment of a child or vulnerable person

safeguarding means protecting the welfare and human rights of people that interact with, or are affected by, the RFN Foundation, particularly those that might be at risk of violence, abuse, neglect, maltreatment or exploitation. This refers to any responsibility or measure undertaken to protect a person from harm

violence means excessive or unlawful use of force that hurts or damages the physically wellbeing of a child or vulnerable person.

vulnerable people/persons has the meaning ascribed to it by the ACNC.⁵

Risk Management

It is a responsibility of all persons working to, volunteering for, or otherwise associated with the Foundation to safeguard children and vulnerable persons. However, there are some individuals who have specific obligations with which they must comply.

The Directors of the Foundation are responsible for:

- Ensuring that the Foundation observes all relevant laws relating to safeguarding, and has appropriate mechanisms to manage the Foundation's obligations under these laws.
- Ensure that, within the charity's scope, reasonable steps are taken to protect all people that interact with, or are affected by, the Foundation.
- Manage reports of violence, abuse, neglect, maltreatment or exploitation.
- Ensure that all persons working to, volunteering for, or otherwise associated with the Foundation are aware of relevant laws, policies and procedures regarding their safeguarding obligations.
- Ensure that all persons working to, volunteering for, or otherwise associated with the Foundation are aware of their obligations to report suspected incidents of violence, abuse, neglect, maltreatment or exploitation.
- Provide support for all persons working to, volunteering for, or otherwise associated with the Foundation in undertaking their responsibilities to safeguard children and vulnerable people.

All persons working to, volunteering for, or otherwise associated with the Foundation must:

- Report any suspicion or incident to the appropriate authority when it is reasonable to suspect that a person's safety or welfare is at risk.
- Provide an environment that is supportive of everyone's emotional and physical safety.

⁵ The ACNC defines vulnerable individuals as people under the age of 18, or those who may either be unable to take care of themselves – due to their age, an illness, trauma, disability, or some other disadvantage – or unable to protect themselves against harm or exploitation. The vulnerability may be permanent (for example, an aged related vulnerability) or temporary (for example, a woman forced to move to a shelter due to personal circumstances). See ACNC ['External Conduct Standard 4: Protection of Vulnerable Individuals'](#), accessed 08 October 2019.

- Adhere to, and abide by, the Foundation's Code of Conduct.

Directors of the Foundation must also be satisfied that all third party providers, contractors or anyone associated with the work of the Foundation are aware of the Foundation's Child and Vulnerable People Protection Policy, comply with the policy, and adhere to the Code of Conduct.

RFN will manage the risk of safeguarding by ensuring all risk assessments are up-to-date and well documented; maintaining an awareness of its obligations to safeguarding children and vulnerable people in the jurisdiction within which it operates; and will adhere to the requirements within this policy.

Promoting protection of children and vulnerable people

All persons working to, volunteering for, or otherwise associated with the Foundation will be required to participate in child protection awareness training as part of their involvement with RFN. In practice, this will involve any volunteers traveling to Nepal attending an information session where a Director of the Foundation will provide an overview of this Policy, and the responsibilities outlined within it.

All adult volunteers traveling to Nepal will be required to familiarise themselves with the Code of Conduct and sign a document acknowledging their consent to adhere to the behaviours therein.

When briefing children, the responsible Director will provide an overview of this Policy, ensuring all attendees are aware of their responsibilities and understand the avenues available to report concerns to.

The Foundation recognises that there is the possibility that persons working to, volunteering for, or otherwise associated with the Foundation may, through the course of their involvement with the Foundation, be exposed to challenging environments that could cause undue stress or vulnerability. It is the responsibility of the Directors to mitigate this risk, ensuring there are avenues available for volunteers to seek support if and when required. This may include, but is not limited to, conducting de-briefing sessions in-country and upon return to Australia.

Managing incidents

Violence, abuse, neglect, maltreatment or exploitation are all serious acts of misconduct, and the RFN Foundation reserves the right to take disciplinary action against those it believes are responsible, take civil legal action, or report the matter to law enforcement.

Reporting suspected incidents

All persons working to, volunteering for, or otherwise associated with the Foundation must, as soon as practicable, report any suspicion that an incident has taken place, may

be taking place, or could take place to the Directors of the Foundation. If a person working to, volunteering for, or otherwise associated with the Foundation believes that another person is at risk of immediate harm or the victim of a criminal offence, they must call emergency services.

Responding to suspected incidents

All suspected, perceived, potential or actual incidents will be managed through the incident response plan. RFN will report any suspicion of a criminal offence to the police or the relevant criminal judicial body, and will report any qualifying matter to the Australian Charities and Not-for-profits Commission.

Administration of this Policy

As part of its management of risk, this policy will be reviewed every two years. The next review will be in October, 2021.