



Child safeguarding policy

Motivation Australia is a not for profit organisation that conducts lifesaving and life changing projects in Asia and the Pacific. Our vision is a world where all people can participate fully in family and community life.

1. Statement of Motivation Australia’s commitment to child safeguarding

Motivation Australia is committed to the safety and well-being of all children. Motivation Australia considers all forms of abuse or exploitation of children unacceptable in all situations. Motivation Australia has zero tolerance of abuse, sexual abuse, exploitation or sexual exploitation of children within its programs by our personnel, our representatives or our partners.

Child safeguarding refers to obligations on the board of directors, personnel and partners to ensure that the design and delivery of programs and organisational operations protect children from risks of harm, abuse and exploitation. Children have the right to survival, development, protection and participation as stated in the United Nations Convention on the Rights of the Child (UNCRC, Appendix 1).

Motivation Australia takes seriously its responsibility to safeguard children, and aims to provide child safe programs and environments. It does so by identifying and managing risks, and responding appropriately to suspected breaches of this policy. Motivation Australia does not tolerate inaction nor slow, inadequate responses to suspected breaches of this policy.

2. Purpose of child safeguarding policy

Motivation Australia’s *child safeguarding policy* has the primary aim of keeping children safe by outlining systems and mechanisms for raising awareness, prevention, reporting and responding to child protection issues.

The *child safeguarding policy* also protects personnel by avoiding ambiguous situations and behaviours in the workplace and in program activities which may be misinterpreted and potentially lead to false allegations against personnel and partners.

Furthermore, the *child safeguarding policy* protects Motivation Australia and its reputation by demonstrating its genuine commitment to safeguarding children and preventing incidents of abuse, thereby maintaining supporter confidence and funding stability.

Specifically, Motivation Australia’s *child safeguarding policy* seeks to:

- Demonstrate our organisation’s commitment to protect children from harm, abuse, sexual abuse, exploitation or sexual exploitation.
- Ensure all Motivation Australia personnel, Motivation Australia representatives and partner organisations prioritise the safety and welfare of children and uphold our joint responsibility to create a child safe and child friendly culture, where everyone is committed to keeping children safe.
- Ensure procedures are in place to prevent and manage actions and/or behaviour of directors, employees, partners, consultants and volunteers that could result in harm, abuse or exploitation of a child.

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- Build an open and aware environment where concerns for the safety and well-being of a child can be raised and managed in a fair and just manner, which respects the rights of all, while upholding the primacy of children’s rights to safety and protection.
- Provide guidance on how to respond to concerns and allegations relating to the safety and welfare of children including reporting child abuse, sexual abuse, exploitation including sexual exploitation, and policy non-compliance.
- Ensure that Motivation Australia adheres to Australian and international child protection criminal laws protecting children.
- Demonstrate our commitment to the ACFID Code of Conduct and the Australian Government Department of Foreign Affairs and Trade’s Child Protection Policy 2017 and the Preventing Sexual Exploitation, Abuse and Harassment Policy 2019.

3. Guiding principles

3.1 Zero tolerance of child harm, abuse or exploitation

Motivation Australia will not tolerate abuse, sexual abuse, exploitation or sexual exploitation of children within our operations or programmes whether by our personnel, representatives, sub-contractors or partner organisations. Abuse, sexual abuse, exploitation or sexual exploitation of children will attract disciplinary action in accordance with disciplinary procedures and contractual agreements. A referral may be made to statutory authorities for criminal investigation.

3.2 Shared obligation and responsibility

The responsibility for safeguarding children associated with our programs rests with Motivation Australia. Where partners, sub-contractors, personnel or other entities representing Motivation Australia are involved with our programs, the full obligations and responsibilities are shared with those partners, sub-contractors, personnel or other entities.

3.3 Assess and manage child protection risk and impact

While it is not possible to eliminate all risks of abuse, sexual abuse, exploitation or sexual exploitation of children, Motivation Australia will identify the risks and work with partners to mitigate or manage the risks to children that may be associated with our programs.

3.4 Recognition of the rights of children, particularly children with a disability, to feel safe

Motivation Australia recognises that our personnel, representatives and partner organisations are in a position of trust when working and coming into contact with children. Motivation Australia also recognises that all children need to feel safe at all times. Children with a disability have specific vulnerabilities and require special measures to ensure protection from abuse, sexual abuse, exploitation or sexual exploitation.

3.5 Recognition of unintentional harm

Motivation Australia recognises that unintentional harm such as emotional stress or physical injury to a child may occur during the provision of rehabilitation and assistive technology services.

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Motivation Australia will work to support safe practice by our partner services and train personnel to recognise and respond appropriately to unintentional harm.

4. Motivation Australia’s responsibility for child safeguarding

4.1 Global context

Abuse, sexual abuse, exploitation and sexual exploitation of children is a global problem that affects all children, regardless of gender. Some children are more vulnerable than others. Children with disabilities, children separated from their parents, children living in extreme poverty, very young children or children in humanitarian emergency situations are at a higher risk. Children are particularly vulnerable in countries where there are limited legal protections or limited social services and/or police response.

While most abuse, sexual abuse, exploitation or sexual exploitation of children occurs within families and communities, it can also occur in organisations that provide children and their families with services or supports. When child abuse or exploitation occurs within organisations, it is usually enabled through the result of poor conditions, bad work practices, negligent management combined with insufficient protection mechanisms. To combat this, there needs to be strong and consistent attention to child safeguarding at all levels of the organisation.

Motivation Australia recognises that child sex offenders and others who seek to exploit children seek organisations with inadequate child protection policies and procedures, and may seek to work overseas in developing countries and development programmes where child protection laws and law enforcement is weak and where children and their families are vulnerable to exploitation.

4.2 Context of Motivation Australia’s work

While children are not always the central focus of our projects, Motivation Australia works with and comes into contact with children in a number of ways, including:

- As direct beneficiaries of our projects: As clients accessing our partner’s services (such as a mobility device service); as client models during Motivation Australia training or mentoring clinics (such as children’s wheelchair clinics); as clients being interviewed as part of our monitoring and evaluation activities or research.
- As relatives of other people accessing our projects: Attending appointments with their parents, carers or other family members; being present during home or community visits focused on other members of their family (including monitoring and evaluation activities or research).

5. Definitions

For the purpose of this policy, the following terms are defined as stated.

Child	Any young person below the age of eighteen years as defined by the UNCRC.
Child safeguarding	Safeguarding refers to the broad obligation on personnel and partners to ensure that the design and delivery of programs and organisational operations do not expose children to adverse impacts, including the risk of abuse and exploitation,

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	and that any concerns about children's safety within the communities where they work are appropriately reported.
Child protection	Child protection is part of safeguarding practice. Child protection refers to activities or initiatives designed to protect children from any form of harm, particularly that arising from child exploitation and abuse.
Child abuse	Includes physical, sexual and emotional abuse, as well as neglect, bullying, child labour and family violence. Abuse can be inflicted on a child by anyone regardless of gender, as well as by young people themselves. In some cases, professionals and other adults working with children in a position of trust abuse children. Child abuse can be an act of commission (deliberate act of abuse) or omission (failing to act to prevent harm).
Child sexual abuse	When a child is used by another significantly older child, adolescent or adult for his or her own sexual stimulation or gratification. Sexual abuse involves contact and non-contact activities which encompasses all forms of sexual activity involving children, including exposing a child to online child sexual exploitation material, or taking sexually exploitative images of children.
Child exploitation	Child exploitation includes: Abuse of a child where some form of remuneration is involved or whereby the perpetrators benefit in some way; Committing or coercing another person to commit an act or acts of abuse against a child; Possessing, controlling, producing, distributing, obtaining or transmitting child exploitation material; Committing or coercing another person to commit an act or acts of grooming or online grooming; Using a minor for profit, labour, sexual gratification, or some other personal or financial advantage.
Neglect	Is the persistent failure or the deliberate denial to provide the child with clean water, food, shelter, sanitation or supervision or care to the extent that the child's health and development are placed at risk.
Harm	Any detrimental effect on a child's physical, psychological or emotional wellbeing. Harm may be caused by financial, physical or emotional abuse, neglect and/or sexual abuse or exploitation. Harm may be intentional or an unintentional consequence of our action or inaction.
Safety	Safety for children means not being exposed to adverse impacts (harm, abuse or exploitation) and feeling comfortable to disclose any concerns that they may have about their wellbeing and freedom from harm.
Duty of care	A concept that refers to the responsibility of Motivation Australia to provide children with an adequate level of protection against harm, and to protect children from all reasonably foreseeable risk of injury.
Child safeguards	The measures that Motivation Australia and our partners put in place to promote the safety and wellbeing of children.
Contact with children	Working on an activity or in a position that involves or may involve contact with children, either within the position description or due to the nature of the work environment. This includes indirect contact with children in the community.
Working with children	Being engaged in an activity with a child where the contact would reasonably be expected as a normal part of the activity and the contact is not incidental to the activity. Working includes volunteering or other unpaid work.

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Children with a disability	Children with movement, speech, visual, hearing, learning/intellectual, hidden and/or multiple impairments who are disabled through discrimination and exclusion. Children with mild impairments can be severely disabled by lack of access to their basic needs and rights.
Consent and assent	Consent may only be given by individuals who have reached the legal age of consent, currently 18 years old. Assent is the agreement of someone not able to give legal consent to participate in the activity.
Personnel	Personnel include all employees, consultants, contractors, interns and volunteers. Volunteers may include professional volunteers, students, or any other person who has entered into a volunteer contract with Motivation Australia.
Motivation Australia representatives	Personnel and members of the Motivation Australia Board of Governors.
Partner organisations	Organisations with which Motivation Australia works to implement a joint project, and/or with which Motivation Australia has a signed partnership agreement and/or memorandum of understanding. Partner organisations may or may not be recipients of funds through Motivation Australia.

6. Scope of this policy

This policy applies to all Motivation Australia personnel and representatives.

Motivation Australia has an obligation to ensure to the extent reasonably possible that our partner organisations meet minimum child protection standards. Motivation Australia will exercise due diligence to ensure the safeguarding of children associated with our joint projects and activities.

7. Child safe commitments for Motivation Australia representatives

- 7.1** All Motivation Australia personnel are required to sign and adhere to Motivation Australia's Code of Conduct (Appendix 2) and Child Safe Commitments (Appendix 3) which provide clear behavioural guidelines and expectations for all personnel when working with or coming into contact with children.
- 7.2** Members of Motivation Australia's Board of Governors are also required to sign and adhere to Child Safe Commitments (Appendix 3). Ethical standards expected of Motivation Australia's Board of Governors and comparable to those outlined in the Code of Conduct (Appendix 2) are documented in the *Board Charter*.

8. Child protection risk management

- 8.1** Motivation Australia will proactively assess and manage risks to children in all of our activities. In particular, Motivation Australia will assess each of our projects for potential risk to children.
- 8.2** A child safe risk assessment and management plan will be completed for all registered projects. This will include:
- A scan of the child protection context in the relevant country.
 - Analysis of child protection policies and practices followed by project partners, including reporting mechanisms.

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- Identification of areas of risk.
- A management plan, developed with partners, adapted to the local context, to reduce or remove identified risks and monitor compliance with policies.

Implementation of the child safe risk assessment and management plan will be monitored, reviewed and updated as part of Motivation Australia’s overall project monitoring processes.

8.3 Motivation Australia will nominate one or more focal point persons for child safeguarding. The focal point person/s is responsible to:

- Champion good practices in child safeguarding at every opportunity.
- Ensure that child safe risk assessments and management plans are created for every registered project, and are actively monitored and regularly reviewed.
- Ensure that personnel access training in child safeguarding on a regular basis, at least yearly.

9. Communication and use of children’s images

9.1 Motivation Australia will at all times portray children in a respectful, appropriate and consensual way. The privacy and dignity of children being photographed will be of foremost consideration, as will sensitivity to their rights and wellbeing as both an individual and member of their community.

9.2 Motivation Australia will apply the following guidelines on the use of children’s images. These guidelines accord with the ACFID Code of Conduct clause 4.2:

- Children will be portrayed in a dignified and respectful manner.
- Children will be adequately clothed and not be in poses that could be seen as sexually suggestive.
- Motivation Australia personnel will seek informed assent from a child and informed consent from their parent/guardian to take a child’s image. Informed assent/consent includes ensuring the child and their parent/guardian understand how the image may be used. Motivation Australia will aim to receive written consent, however verbal consent will be accepted in line with the *ethical images and stories policy*. Assent is discussed and secured in age-appropriate ways.
- Information that would enable a child’s identity and location to be readily accessed will not be used in publications and/or file names, and no identifying data or information will be used with images or attached to image files, including geolocation data, name and address of the child.
- Children will be portrayed as part of their community.
- Local cultural traditions will be assessed to understand – and respect – practices and beliefs about reproducing personal images.
- Images will be an honest representation of the context and facts. Motivation Australia will not adapt illustrations to represent a different context or fact.
- Images will only be used for the purpose stated at the time when informed consent and assent was obtained.
- Images will not be sold, emailed or given to any other external individual or organisation without the prior written consent of the child and parent/guardian concerned.

9.3 All photographs and videos will be used by Motivation Australia for a maximum of ten years.

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10. Procedures for the employment of personnel

10.1 Motivation Australia is committed to child safe recruitment, screening and selection practices. These practices aim to recruit the safest and most suitable people to work in our programs.

10.2 Motivation Australia's child safe recruitment practices include the following processes:

- Terms of reference must state whether a position (paid, voluntary or consultant) will involve working and contact with children.
- Submission of detailed information about the applicant's background such as dates and places of employment, education and other activities, and contact details for two referees.
- Job descriptions for all positions (employees, volunteers) which describe selection criteria, line management and outline tasks and responsibilities.
- Terms of reference for consultants clearly specify deliverables to be provided and obligations for child safeguarding.
- Face to face interviews for all positions, where possible, recognising that telephone interviews may at times be necessary.
- Use of behavioural-based questions during interviews and securing examples of candidates' past behaviour and experiences. In positions classified as working with children, the panel will explore the candidates' motivation for working with children which will include value-based questions seeking information about the candidate's attitude to children, professional boundaries, accountability, team work and how they have responded to ethical dilemmas.
- All candidates for 'working with children or contact with children' classified positions will be advised that the following will be required of successful candidates:
 - A minimum of two documented verbal reference checks (as outlined in 10.3).
 - Relevant police check/clearance (as outlined in 10.3).
 - For countries of residence from which police checks cannot reasonably be secured, a statutory declaration confirming that the applicant has never been investigated, charged or prosecuted for a child protection issue may suffice.
 - Proof of identification (as outlined in 10.3).

10.3 All staff or volunteers will be screened by Motivation Australia prior to contracting and engagement. Screening involves the following steps:

- A minimum of two documented verbal reference checks. The candidate's most recent employer must be one of the referees and direct contact must be made with each referee. Written references alone will not be accepted. Questions specific to safeguarding are asked of at least two referees. Motivation Australia may request additional references.
- Provision of proof of identity, including documents in the applicant's current name. Originals or certified true copies are sought wherever possible and appropriate.
- Police checks. Relevant police check/clearance should comply with current Australian and State legislation as well as DFAT, ANCP and ACFID requirements. A statutory declaration may be accepted in lieu of an international police check.
- Signed declaration by applicant disclosing whether they have been charged with any offences related to children and their response.

Motivation Australia may choose not to proceed with a contract or volunteer position based on the results of the child safe screening.

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10.4 Exceptions

At the discretion of the CEO, a contract of employment may be made before obtaining a police check certificate if there is an urgent requirement that the person start work before a police check certificate can be obtained, providing each of the following conditions are met:

- An application for a police check has been made before the person first becomes an employee, volunteer or contractor.
- The person is subject to appropriate supervision and has no access to children until the police check certificate is obtained.
- The person completes a statutory declaration stating that they have never, in Australia or any other country, been convicted of an offence or, if they have been convicted of an offence, setting out the details of that offence.
- One form of primary identification (birth certificate, passport, Australian citizenship certificate) is provided.
- One form of secondary identification (drivers licence, current tertiary education institution photo ID, government issued public employee photo ID, working with children/teacher's registration card) is provided.
- At least one of the forms of identification must contain a photograph.

Where provision of the above forms of identification are difficult to provide, the 100 point identification check as used by the Australian Government, will be used.

10.5 Continuing employment

Motivation Australia will:

- Require national police checks/clearances and working with children checks that comply with current Australian and State legislation as well as DFAT, ANCP and ACFID requirements to be renewed every three years, or otherwise as required by relevant legislation.
- For Motivation Australia personnel resident outside of Australia, national police clearance certificates will be required every three years from their country of residence.
- All personnel undergo at least annual training on child protection and child safeguarding (see Section 12 below).

11. Procedures for the engagement of members of the Motivation Australia Board of Governors

11.1 As trusted representatives of Motivation Australia, governors require the same level of screening as Motivation Australia personnel. This is outlined in section 10.2 and 10.3.

12. Child protection awareness and training for Motivation Australia representatives

12.1 Induction

All Motivation Australia representatives receive a copy of the *child safeguarding policy* and Motivation Australia's Code of Conduct as part of their induction. All representatives are required

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to read these documents, and sign a declaration that confirms they have read the child safeguarding policy and have not been charged with child abuse offences. Personnel are also required to sign the Code of Conduct.

12.2 Awareness

To ensure that the *child safeguarding policy* and Code of Conduct remain live in our organisation, Motivation Australia will undertake a range of measures to remind personnel and other representatives of our joint responsibilities in relation to child protection.

For example:

- Prompts to assess, manage and monitor risks to child safety in Motivation Australia procedures, tools and templates.
- Inclusion of updates and/or discussion of child safeguarding issues in Motivation Australia board meetings, employee workshops, team meetings.
- Inclusion of child safeguarding responsibilities in job descriptions.

12.3 Training

- Motivation Australia prioritises child safeguarding training opportunities for personnel, ensuring all staff complete as a minimum ACFID's introduction to safeguarding module and participate in staff training annually.
- Information gained from external training opportunities is shared with other personnel through Motivation Australia employee workshops.
- Members of the Board of Governors are each required to complete an Introduction to Safeguarding using ACFID's online learning portal and provide evidence of course completion.

13. Working with partner organisations

13.1 Motivation Australia's partnerships are often with government ministries and also with local civil society organisations and managing contractors. Motivation Australia commits to share our *child safeguarding policy* with all partners with whom we have a formal partnership (Memorandum of Understanding or Partnership Agreement).

13.2 All Motivation Australia Memorandum of Understanding or Partnership Agreements will include a statement on Motivation Australia's commitment to keeping children safe from abuse, sexual abuse, exploitation and sexual exploitation, and a requirement for partners to commit to an equal obligation consistent with the partner's own child safeguarding policy. The statement will make explicit that Motivation Australia will access and monitor the partner's safeguarding policy.

13.3 Motivation Australia will discuss child safe practices with our partners and work diligently to the full extent of our influence, to encourage all partners to develop safeguards to protect children as appropriate for their context.

13.4 For all projects that directly involve working with children, Motivation Australia will work with our partners to ensure the following is in place as a minimum:

- A project specific child safe risk assessment and management plan
- A child safe code of conduct applying to all personnel involved in our joint activities
- Child safe recruitment procedure for new personnel involved in our joint activities

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- Shared understanding of the use of images of children that accord with the guidelines outlined in this policy.

13.5 Motivation Australia will implement other strategies as appropriate, including but not limited to:

- Where partners do not have a child protection or safeguarding policy in place, Motivation Australia will assist partners to identify appropriate supports (including technical advice) to develop their own child protection policies and other safeguards as appropriate
- Inclusion of child safe practices in Motivation Australia service delivery skills training for partner personnel.

14. Reporting processes within Motivation Australia

14.1 Motivation Australia will take all concerns and reports of child abuse, exploitation, intentional harm and/or non-compliance of this policy seriously and act on these reports immediately. There is zero tolerance of inaction by Motivation Australia personnel and Motivation Australia program partners.

14.2 Our reporting processes aim to ensure all parties are treated fairly and that the principles of natural justice are upheld.

14.3 Our reporting processes will be transparent and available for community members to use.

14.4 Motivation Australia personnel and representatives who have a concern should immediately follow the Motivation Australia child safeguarding reporting procedure as follows:

Who is responsible for reporting?	All Motivation Australia personnel and representatives
What should be reported?	<ul style="list-style-type: none"> ✓ Any disclosure or allegation from a child, community member or partner personnel regarding harm, abuse, sexual abuse, exploitation or sexual exploitation of a child. ✓ Any observation of concerning behaviour exhibited by Motivation Australia personnel, representatives or other relevant stakeholder (for example partner organisations) which breaches this policy and/or Motivation Australia's Child Safe Commitments. ✓ Inappropriate use of Motivation Australia's photographic equipment or computers including evidence of child exploitation material, including child pornography. ✓ Personnel engaging in suspicious behaviour that could be associated with exploitation or trafficking.
Who should be reported to?	<p>First point of contact: Project Coordinator, Child Safe Focal Point</p> <p>Point of escalation, as appropriate and necessary: Motivation Australia's Program Manager, Chief Executive Officer or Chairperson.</p> <p>Any suspected or alleged case of child abuse, sexual abuse, exploitation, sexual exploitation or policy non-compliance in connection with DFAT linked programmes will be reported immediately to DFAT at childwelfare@dfat.gov.au as per the DFAT Child Protection Policy (2017).</p>

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When to report?	Any concern of suspected or alleged abuse, sexual abuse, exploitation, sexual exploitation and other intentional harm concerns should be raised immediately . Minor, unintentional harm to a child in the course of service provision and acts of omission should be reported as soon as is practical.
How should it be reported?	Verbally and then in writing. The written report should be signed by the person reporting, and co-signed by: <ul style="list-style-type: none"> • The relevant Project Coordinator, OR • Program Manager, OR • Child Safe Focal Point, OR • Chief Executive Officer, OR • Chairperson.
What will happen next?	The Chief Executive Officer and Chairperson in consultation with the Child Safe Focal Point and other relevant Motivation Australia personnel will discuss the report and then decide upon the next steps. At a minimum, an interview will be conducted with the person/persons who made the allegations and, as relevant, other witnesses to gather more information with which to make a decision. Additionally, one or more of the following actions may be taken: <ul style="list-style-type: none"> • Report to local police and or child protection authority • Report made to the Australian Federal Police • No further action taken.

14.5 All reports will be handled professionally and expediently, and will be treated confidentially in accordance with Motivation Australia’s privacy and security policies, DFAT’s Child Protection Policy in the head contract and other relevant Commonwealth legislation, including the Privacy Act 1988.

14.6 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. Motivation Australia will aim to ensure the rights of anyone reporting in good faith are protected.

14.7 The rights and safety of the child is central to the process, and as such Motivation Australia will make every effort to protect the rights and safety of the child throughout any investigation.

14.8 Reporting child abuse in Australia

- In all Australian states and territories, abuse, sexual abuse, exploitation and sexual exploitation of children are crimes. The age of consent in most Australian states and territories is 16. Additionally, in some jurisdictions it is a criminal offence for persons in positions of power and trust (such as a teacher or carer) to engage in sexual activity with children under the age of 18.
- Reports relating to child abuse can be made to the local state police or the state child protection authorities as follows:
 - Motivation Australia is obligated to report to DFAT immediately.
 - If there is an allegation or suspicion of child sexual abuse by Motivation Australia personnel, these matters will be reported to the state police.
 - If there are concerns that a child is being sexually abused by someone external to the organisation, Motivation Australia will contact the relevant state police and/or child protection authorities.

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- Concerns about the welfare of a child in relation to neglect and/or emotional abuse will be reported to child protection authorities.
- Concerns about people engaging in child sex tourism, child sex trafficking and child pornography will be reported to the Australian Federal Police (Sexual Assault Team).
- Contact details for the agencies noted above can be found in Appendix 5.

14.9 Reporting child abuse overseas

- Child abuse reports should be made in accordance with Motivation Australia’s reporting procedures (see 14.4). Motivation Australia personnel will discuss the report with the appropriate manager or senior person within our partner organisation where appropriate.
- An initial assessment will be made based on the quality and reliability of the information and a decision will be made on what steps to take.
- A local reporting procedure will guide the process based on whether the allegation constitutes a criminal offence in the country, or whether it is a breach of Motivation Australia’s Code of Conduct and will be dealt with as a disciplinary matter.
- Where allegations are considered to be criminal offences, the matter will be referred directly to the local police and or authorities.
- If the incident has occurred outside of a Motivation Australia project or activity, the matter will be referred to an external body or agency dealing with child protection matters in the country, where safe to do so.
- Local and regional circumstances will be considered with regards to child protection procedures.

14.10 Other actions Motivation Australia will take

- **Protect the child:** Once an allegation is made there should be an immediate response in collaboration with relevant authorities to protect the child from further potential abuse or victimisation.
- **Distance the alleged perpetrator:** Where an alleged perpetrator is Motivation Australia personnel, Motivation Australia’s CEO, with advice from Motivation Australia’s Chairperson, may stand this person down while an investigation is conducted. Personnel stood down in this manner will continue to receive remuneration as per their employment status, in the interests of a just process that does not pre-judge guilt or innocence.
- **Sanctions:** Breaches of Motivation Australia’s *child safeguarding policy* and/or Code of Conduct may result in dismissal. Further to this, criminal investigations can result in convictions and criminal penalties (such as imprisonment) being applied.

15. Reviewing the child safeguarding policy

15.1 Motivation Australia’s *child safeguarding policy* will be reviewed every two years, and more often if a specific reason to review is presented.

15.2 The review of this policy will incorporate organisational learning as a result of: child protection risk assessments and management plans; incident reports; changes in our partner policies / procedures, and/or the scope of Motivation Australia’s project work.

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15.3 Motivation Australia's CEO and Child Safe Focal Point will manage the review. Personnel, board members and partner organisations will be consulted.

15.4 Any recommendations with respect to improving the *child safeguarding policy* may be discussed with the CEO at any time. Personnel are encouraged to be proactive in identifying suggestions for improving child safeguarding practices.

16. Related documents

Document no	Title and location
POL - 0029	Code of Conduct
	Child Safe Commitments
TEMP - 0001	Incident Report
TOOL-0002	Child safe declaration form for personnel
PROC-0012	Personnel recruitment procedure
TOOL-0006	Identification and reference check
TEMP-0013	Child Protection Mapping
POL-0022	Privacy and Security Policy
POL-0034	Whistleblowing policy
TOOL-0042	Working with Children
POL-0035	Prevention of sexual exploitation and abuse of adults
POL - 0015	Ethical images and stories policy

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Appendix 1: Full List of United Nation’s Convention of the Rights of Children (UNCRC)

Article 1	The UNCRC is for children and young people aged 18 years old and under.
Article 2	The UNCRC is for all children and young people.
Article 3	All organisations concerned with children and young people should work towards what is best for each child.
Article 4	Government must make these rights available to children and young people.
Article 5	Government should respect the rights and responsibilities of families.
Article 6	You have the right to life.
Article 7 and 8	You have the right to a name, identity and family.
Article 9	You have the right to not be separated from your family unless it's not in your best interests.
Article 10	If your family lives in different countries you and your family has the right to travel between them so you can stay in contact.
Article 11	The government must help stop children and young people being taken out of the country.
Article 12	You have the right to have a say about decisions that affect you and have your opinion heard.
Article 13	You have the right to get and share information as long as it doesn't damage other children and young people.
Article 14	You have the right to think and believe what you want and practise religion (as long as it doesn't stop other children and young people from enjoying their rights).
Article 15	You have the right to meet together and join in-groups (as long as it doesn't stop other children and young people from enjoying their rights).
Article 16	You have the right to privacy.
Article 17	You have the right to reliable information from TV, Radio and newspapers.
Article 18	Both parents share responsibility for bringing up children and young people and the government should help parents.
Article 19	Government should make sure that children and young people are protected from abuse, neglect and being harmed by the people looking after them.
Article 20	If you cannot be looked after by your parents, you have the right to be looked after by people who respect your language, culture and religion.
Article 21	When children and young people are adopted the first concern must be what is best for them.
Article 22	Refugee children and young people should have the same rights as children and young people born in the country.
Article 23	Children and young people who have a disability should have care and support so they can lead full and independent lives.

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Article 24	You have the right to health care, clean water, food and a clean environment. Rich countries should help poor countries also have this.
Article 25	If you are looked after by social services, you should have things reviewed regularly.
Article 26	The government should provide extra money for children and young people in need.
Article 27	You have the right to a good standard of living. The government should help families who cannot afford this.
Article 28	You have a right to education. Your dignity should be protected and primary education should be free.
Article 29	Education should develop your personality and talents to the full. It should encourage you to respect your parents and culture.
Article 30	You have the right to learn and use the language of your family, it doesn't matter if the majority of people in the country do not share these.
Article 31	You have the right to relax and play and to join in activities.
Article 32	The government should protect children and young people from work that is dangerous or might harm your health or education.
Article 33	The government should protect children and young people from dangerous drugs.
Article 34	The government should protect children and young people from sexual abuse.
Article 35	The government should make sure those children and young people are not sold or taken out of the country.
Article 36	You should be protected from any activity that could harm your development.
Article 37	Children who break the law should not be treated cruelly. They should not be put in prison with adults and should be able to keep in contact with their families.
Article 38	Governments should not allow children and young people under 16 years old to join the army. Children and young people in war zones should get protection.
Article 39	If you have been neglected or abused you should get special help to get back their confidence and self-respect.
Article 40	If you are accused of breaking the law you should get legal help. Prison should only be used for the most serious crimes.
Article 41	If the laws of a country protect children and young people better than the ones in this convention, then those laws must stay.
Article 42	The government should make the convention known to all children and young people and their families.

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Appendix 2: Code of conduct

Personal and Professional Conduct

All personnel must apply their best efforts to:

Perform

- Perform their duties reliably, responsibly and professionally, with integrity and to the best of their abilities in keeping with Motivation Australia's mission and vision.
- Appropriately role-model behaviours; wherever relevant, influence and guide other personnel to perform to the best of their abilities also.

Respect

- Treat everyone with respect, equality and dignity.
- Accept differences in culture, religion and politics, showing care for how their actions may impact others with different experiences and beliefs.
- Foster, promote and contribute to a positive work environment that is fair, inclusive, equitable and free from any form of harassment, bullying or discrimination.

Represent

- Uphold and actively promote Motivation Australia's values of equity, integrity, sustainability, collaboration, and adaptability.
- Promote and protect Motivation Australia's good reputation in the wider community, online and among Motivation Australia's partners and beneficiaries.
- Refrain from promoting ideological, religious, or philosophical beliefs contrary to the neutral and apolitical policies of Motivation Australia.

Communicate

- Be truthful and transparent when communicating with any stakeholders.
- Respect everyone's rights to privacy and do not disclose personal information whether during or after the period of engagement with Motivation Australia, except as required by our privacy policies.

Uphold human rights

- Behave in a manner that respects, protects and, where practicable, addresses the human rights of all people, consistent with Motivation Australia's Statement on Human Rights.
- Strive not to dehumanise any person or group, recognising that this extends beyond our duty to 'do no harm'.

Protect

- Advance the safeguarding of those who are vulnerable or who are at risk of marginalisation such as women and girls, children, people with disabilities and the elderly, in compliance with Motivation Australia's *child protection policy*, noting that this includes our Code of Conduct. This means personnel must not engage in any form of fraternisation or transactional sex with primary stakeholders.
- Protect the health and safety of others, especially when working with Motivation Australia's partners and beneficiaries.

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- Be vigilant against all forms of harassment and discrimination in compliance with Motivation Australia’s *equal employment opportunity and anti-discrimination policy* and *prevention of sexual exploitation, abuse, and harassment of adults policy* and *child safeguarding policy*.

Relate

- Listen to others respectfully and actively deal with disagreements in a professional manner.
- Follow the four agreements¹ i.e. be careful with your word, don’t take anything personally, don’t make assumptions, and always do your best.

Learn

- Seek feedback, reflect and learn.
- Strive for continuous improvement.

Account

- Be accountable for their behaviours and decisions, following ethical decision-making processes.
- Not abuse or misuse their position, power or influence for personal benefit or to cause harm to another person.
- Comply with the *conflict of interest policy* whenever dealing with a (real or apparent) conflict of interest. This means that personnel must take every reasonable step to avoid any conflict of interest (real or apparent) in connection with their engagement with Motivation Australia and, where one exists, declare it.

Report

- Seek advice from their line manager where a colleague’s behaviour is perceived to be in breach of the Code. Seeking advice about your own behaviour is also encouraged.
- Report any corrupt, criminal, negligent or otherwise unethical conduct (whether known or suspected, actual or potential) to their line manager and/or to the CEO without delay. Failure to do so may result in disciplinary action, including dismissal.

16.1 Finances and Resources

All personnel are responsible for the use and management of Motivation Australia’s resources and property. This means that we:

- Source and use resources in an ethical manner that minimises harm to people or the environment.
- Ensure that funds and resources entrusted to us are properly controlled and managed.
- Use Motivation Australia’s property responsibly, properly and for legitimate purposes.
- Secure Motivation Australia’s property against theft or fraud, in compliance with Motivation Australia *fraud prevention policy*.
- Maintain the integrity and security of Motivation Australia’s intellectual property.
- Responsibly and appropriately use our own devices at work in accordance with Motivation Australia’s *bring your own device policy*.
- Responsibly and appropriately access communication and digital technologies (internet, email, Zoom, etc).

¹ The four agreements are based on ancient Toltec wisdom.

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Appendix 3: Child safe commitments

Motivation Australia personnel are responsible for maintaining a professional role with children, which means establishing and maintaining clear professional boundaries that serve to protect everyone from misunderstandings or a violation of the professional relationship.

These Child Safe Commitments are designed to protect children, personnel and our representatives by providing clear behavioural guidelines and expectations for working or coming into contact with children.

These Child Safe Commitments are supplementary to Motivation Australia's Code of Conduct (see Appendix 2).

As a representative of Motivation Australia, I will:

- ✓ Provide a welcoming, inclusive and safe environment for all children, young people, parents, and personnel.
- ✓ Treat all children and young people in our programmes equally and with respect.
- ✓ Encourage open communication between all children, young people, parents and personnel and have children and young people participate in the decisions that affect them.
- ✓ Build relationships based on mutual trust that empower children and ensure that a culture of openness exists to enable any issues or concerns to be raised or discussed.
- ✓ Immediately report any concerns of child abuse, sexual abuse, exploitation or sexual exploitation and/or policy non-compliance.
- ✓ Take responsibility for ensuring I am accountable and will not place myself in positions where there is a risk of allegations being made.
- ✓ Self-assess my behaviours, actions, language and relationships with children.
- ✓ Have an awareness of the UN Convention of the Rights of Children (UNCRC).
- ✓ Comply with all relevant Australian and overseas child protection legislation
- ✓ Consult with Motivation Australia's Child Safe Focal Point if I have any questions regarding child safeguarding and how it relates to my work or relationship with Motivation Australia.
- ✓ Comply with Motivation Australia's *child safeguarding policy*.
- ✓ Be a positive role model for children.
- ✓ Photograph or video children in accordance with Motivation Australia's *ethical images and stories policy* and section 9 of Motivation Australia's *child safeguarding policy*.

As a representative of Motivation Australia, I will never:

- Engage in behaviour that is intended to shame, humiliate, belittle or degrade children.
- Use inappropriate, offensive or discriminatory language when speaking with a child or young person.
- Do things of a personal nature that a child can do for themselves, such as assistance with going to the toilet or changing clothes.
- Smack, hit or physically assault children.
- Develop sexual relationships with children or relationships with children that may be deemed exploitative or abusive.
- Make sexually suggestive comments about children and vulnerable adults even if this is between colleagues and in jest.
- Behave provocatively or inappropriately with a child.

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- Condone or participate in, behaviour of children that is illegal, unsafe or abusive.
- Act in a way that shows unfair and inequitable treatment of children.
- Photograph or video a child without the consent of the child and their parents or guardians.
- Hold or touch a child (for which I am not their parent, carer or legal guardian) unless this is a requirement of the work I am doing with the child (such as in a clinical setting) and only with the carer present and with the carer's and child's consent.
- Kiss or cuddle a child (for which I am not their parent, carer or legal guardian)
- Seek to make contact and spend time with any child or young person outside the program times.
- Use Motivation Australia's computers, mobile phones, video and digital cameras inappropriately, nor use them for the purpose of exploiting or harassing children.
- Hire minors as domestic labour.
- Take children (for which I am not their parent, carer or legal guardian): to my own home/hotel; or sleep in the same room or bed as a child.
- Provide children with gifts, where the gift is not a systematic part of the service.
- Provide drugs or alcohol to children.

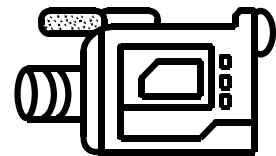
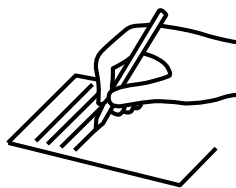
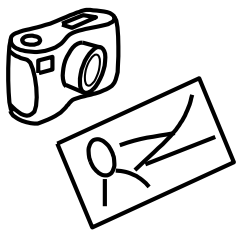
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Appendix 4: Example photo or video consent form

Your photo, video or story will assist Motivation Australia and PARTNER to:

- Raise awareness about appropriate service provision
- Show the importance of the work we do together
- Report to funders, donors
- Report to Motivation Australia and PARTNER board / management
- Train others to provide appropriate services
- Photos, videos and stories may appear on Motivation Australia’s website, Facebook page, YouTube channel, reports to funders and donors

We will not take your photo, video you or collect and share your story without your permission. If you do not give permission, it will not affect the service you receive.



Country:

Date:

Motivation Australia team member:

Your name / your child’s name	How was permission received?		What is permission for?		
	Your signature	Verbal	Photo	Video	Story

Photos of children will be used for a maximum of 10 years, and will not be shared with external organisations without additional permission. Written permission is preferred – verbal permission can be accepted, if signed by Motivation Australia or a representative.

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Appendix 5: Contact details for child protection agencies in South Australia

24 hour Child Abuse Report Line	131 478
Families South Australia Adelaide office	Families SA 219 Morphett Street Adelaide SA 5000 Phone: (o8) 8304 0120 Fax: 8304 0155
Other centres	www.dfc.sa.gov.au/pub/tabid/242/itemid/295/default.aspx
Australian Federal Police	Sexual Assault Team PO Box 401 Canberra City ACT 2601 Ph: (02) 6256 7777

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