

OPPORTUNITY INTERNATIONAL AUSTRALIA CHILD PROTECTION POLICY

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INTRODUCTION

Opportunity International Australia (Opportunity) believes in the fundamental right of all people to be free from exploitation and abuse. Opportunity is committed to ensuring child safeguarding mechanisms are in place for all aspects of its operations. How we protect for the most vulnerable among us is an outward expression and evidence of Opportunity’s core values of commitment to the poor, humility, integrity, respect, transformation and stewardship.

Child abuse and exploitation is a global problem that affects both boys and girls. Children are vulnerable to being abused physically, sexually, emotionally and through neglect. Children are at risk of being forced to endure the most hazardous forms of child labour, including sweat shops and prostitution. Opportunity recognises that the abuse and exploitation of children happens in all countries and societies across the world. Children living in poverty, from ethnic minorities, indigenous, or living with disabilities, are particularly vulnerable to the risk of child abuse and exploitation.

Opportunity is committed to the safety and wellbeing of children and to their protection from abuse and exploitation. Opportunity promotes an organisational culture which protects children and upholds the rights of children to grow up safely and enjoy a childhood protected from harm. Opportunity believes that child protection is both a corporate and an individual responsibility and recognises the shared and collective responsibility of all adults to prevent child exploitation and abuse. It is the responsibility of Opportunity staff, volunteers, supporters and partners to create and maintain protective environments for children.

Opportunity has established strong child safeguarding mechanisms by developing policies, practices and a safeguarding code of conduct that provide a framework for protecting children from exploitation and abuse in Opportunity's operations and the delivery of its programs. This policy seeks to protect children by providing clear standards of behaviour in relation to children, a clear process for reporting suspected incidents and a sound basis on which disciplinary action will be conducted.

PURPOSE OF THE POLICY

This policy has been developed to provide guidance on how Opportunity will protect children from exploitation and abuse across all operations. It outlines measures that safeguard and reduce the risk of children being harmed during visits to programs overseas and promotes a culture of child protection within the organisation. This policy also provides direction on how to respond to concerns and allegations of child abuse in connection with official duties or business.

This policy is a requirement for Opportunity as a recipient of Australian Government funding and signatory to the Australian Council for International Development (ACFID) Code of Conduct.

GOAL AND OBJECTIVE

The goal of this policy is to protect children from exploitation and abuse of all kinds in the delivery of Opportunity's programs and operations.

The objective of this policy is to create and maintain protective environments for children in the delivery of Opportunity's programs.

SCOPE OF THE POLICY

Protecting children from harm is the responsibility of all those who engage in the work of Opportunity. This policy applies to:

- Opportunity's Board of Directors
- Opportunity's employees, including full-time, part-time, international and national staff
- Opportunity's volunteers, including interns, work experience students, and ambassadors
- Visitors to Opportunity's programs overseas
- Opportunity-funded organisations and contractors engaged to perform any part of an activity that involves contact with children, including consultants, researchers and photographers.

POLICY PRINCIPLES

The policy is guided by the following principles:

1. Zero tolerance of child exploitation and abuse

Any form of child abuse and exploitation is unacceptable and will not be tolerated by Opportunity. Child exploitation and abuse will attract criminal, civil and disciplinary sanctions.

Opportunity will not knowingly engage – directly or indirectly – anyone who poses an unacceptable risk to children.

Opportunity works to minimise the risks of child exploitation and abuse associated with its operations and its programs, and trains its staff on their obligations under this policy.

2. Assess and manage child protection risk and impact

While it is not possible to eliminate all risks of child exploitation and abuse, careful management can identify, mitigate, manage or reduce the risks to children that may be associated with Opportunity's operations and programs.

3. Sharing responsibility for child protection

To effectively manage risks to children, Opportunity requires the commitment, support and cooperation of every person who shares in the work of Opportunity—including staff, volunteers, partners and supporters—to take every precaution to protect children within the context of that work. Opportunity will ensure that all staff and relevant stakeholders are made aware of their responsibilities outlined in the Child Protection Policy. Adherence to the Child Protection Policy is mandatory for all staff, volunteers, and contractors engaged by Opportunity.

4. Procedural Fairness

Opportunity will apply procedural fairness when making decisions that affect a person's rights or interests. Opportunity will adhere to this principle when responding to concerns or allegations of child exploitation and abuse.

5. Recognition of the rights of the child

Australia is a signatory to the United Nations Convention of the Rights of the Child (UNCRC) 1989 and Opportunity recognises the rights and obligations under this convention. Article 19 states "State Parties shall... [1] protect the child from all forms of physical and mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse..." The UNCRC is the universal foundation for child protection and the fundamental principle of the convention is that children have their own indivisible rights.

RISK-BASED APPROACH

Opportunity takes a risk-based approach to the management of child protection in its business activities.

Programs or activities that involve contact with children or working with children require an assessment of child protection risk to be conducted. Relevant risk and decision-making processes and documents must reflect this assessment. This does not need to be a stand-alone process and can be incorporated into existing activity planning and risk management processes, such as project risk assessments and project appraisal processes. Regular monitoring for any change in risk and reporting on the effectiveness of the management of child protection risk must also occur.

Working with Children

Working with children means 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.

If the program or activity is determined to involve **'working with children'**, then the minimum child protection standards are to be applied, as follows;

1. Child protection policy in place
2. Documented reporting procedure in place
3. Personnel trained in child protection
4. Child protection policy includes a commitment to preventing a person from working with children if they pose an unacceptable risk to children
5. Child protection policy is reviewed at least every five years
6. Risk assessment is undertaken to identify and mitigate the risk of any child being harmed as a result of operations or activities
7. Employment contracts contain provisions for suspension or transfer to other duties of any employee who is under investigation and provisions to dismiss any employee after an investigation
8. Robust recruitment screening processes for all personnel in contact with children
9. Code of conduct in place that outlines standards for acceptable and unacceptable behaviour in relation to children.

Contact with Children

Contact with children means working on an activity or in a position that involves, or may involve, contact with children, either under the position description or due to the nature of the work environment.

If the program or activity is determined to involve **'contact with children'**, then the following is required:

1. An assessment of child protection risks must be undertaken to identify risks to children and, depending on the level of risk identified, the appropriate minimum child protection standards applied to manage the risk
2. Personnel must be trained in child protection awareness and understand their obligation to protect children when carrying out their work
3. A clear internal reporting mechanism or procedure must be in place for personnel to report concerns.

OPPORTUNITY-FUNDED PARTNERS

All Opportunity-funded organisations are required to act in accordance with the policy principles outlined in this policy. Non-compliance with the minimum child protection standards where required may lead to suspension or termination of funding arrangements, and non-renewal of Relationship Agreements. Child protection policies and processes are mandatory for establishment of new partnerships.

Opportunity-funded organisations that work with children must meet the minimum child protection standards listed above. Opportunity-funded organisations that have contact with children are obliged to develop and implement their own child protection policy or formally adopt Opportunity's Child Protection Policy. Opportunity provides capacity building to implementing partners to strengthen their child safeguarding practices.

SUB-CONTRACTORS

The requirement to develop and implement a child-safe approach also applies to all downstream personnel, partners and subcontractors who are engaged by an Opportunity-funded partner to perform any part of an Opportunity-funded activity where working with or contact with children is involved. The Opportunity-funded partner must ensure the downstream organisation or individual contractor complies with the relevant child protection standards.

CHILD PROTECTION LAWS

Opportunity's staff, volunteers, supporters and Opportunity-funded organisations are obliged to adhere to local and international child protection criminal laws, which prohibit the abuse and exploitation of children. These include Australian laws¹ and international conventions² and local laws in the countries where we work³ in relation to all forms of child abuse and child exploitation, including child sex tourism, child sex trafficking, child labour and child pornography.

EMPLOYEE RECRUITMENT

Opportunity's recruitment process includes declarations by all potential employees of any charges, convictions and other outcomes of an offence relating to child exploitation and abuse.

All employees are required to sign an employment contract which contains provisions for dismissal, suspension or transfer to other duties for any employee who breaches Opportunity's Safeguarding Code of Conduct.

¹ Including the *Criminal Code Act 1995* and the *Crimes Act 1914* and various state and territory legislation.

² Including the *UN Convention on the Rights of the Child*, *Geneva Declaration on the Rights of the Child*, and ILO Convention 182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.

³ Relevant local laws include, but are not limited to: In India - The Protection of Children from Sexual Offences Act 2012; in the Philippines – Special Protection of Children Against Abuse, Exploitation, and Discrimination Act 1992; In Indonesia - Law on Child Protection 2002; in Bangladesh - The Children Act 2013; in Nepal - The Act Relating to Children 2018; in Pakistan - Sindh Child Protection Authority Act, 2011 (Act No. XIV), Balochistan Child Protection Act (No. VII), 2016

Personnel recruited for positions that involve contact with children, either under the position description or due to the nature of the work environment, shall be screened prior to mobilisation through the following procedures:

- Criminal record checks before engagement
- Verbal referee checks.

Personnel recruited for positions that involve working with children shall be screened using additional measures including behavioural-based interview questions that probe the applicant's past behaviour in specific situations relevant to the position to give interviewers additional information about the applicant's suitability to work with children.

CHILD PROTECTION TRAINING

Opportunity provides personnel with training on child protection including outlining their responsibilities to protect children under this policy, including mandatory reporting of concerns or allegations of child exploitation and abuse. Training is delivered at induction, and refresher training is provided as necessary.

CHILD EXPLOITATION AND ABUSE REPORTING PROCESSES

Opportunity has internal procedures for handling reports related to child exploitation and abuse as well as non-compliance with its Child Protection Policy and Safeguarding Code of Conduct, and notifies relevant law enforcement agencies as appropriate. These procedures outline obligations and responsibilities of employees, interns, volunteers, Directors, contractors, suppliers, partners and supporters for reporting on and managing concerns about malpractice, illegal acts or failures to comply with recognised standards of work, including concerns about a child's safety and wellbeing or unacceptable behaviour by personnel.

Opportunity is committing to ensuring victims/survivors of child safeguarding incidents are treated with dignity and respect. The needs and interests of the child are the primary priority for all cases.

When responding to allegations, Opportunity and its partners have a responsibility to ensure their staff are treated fairly, and that the rights of individuals are respected during an investigation and any applicable disciplinary process.

1. Reporting process for Opportunity's Australian operations

Concerns or allegations of child exploitation and abuse, and policy non-compliance relating to Opportunity's operations in Australia should be raised **immediately** with the Safeguarding Officer or the Complaints Officer who is responsible for dealing with concerns raised under Opportunity's Whistleblowing Policy and Complaints Policy and ensuring that an investigation is conducted. The Safeguarding Officer and Complaints Officer will keep each other informed of reported incidents and can be contacted on 02 9270 3300 or by email to complaintsofficer@opportunity.org.au.

Alternatively, if a disclosure is about a Director, the Safeguarding Officer or the Complaints Officer, concerns can be reported directly to the Chair of Opportunity's Audit and Risk Committee who will decide how the investigation should proceed. The Chair of

Opportunity's Audit and Risk Committee can be contacted by emailing auditriskchair@opportunity.org.au.

All allegations or incidents reported will be investigated in line with company procedures. Following investigations, possible outcomes for Opportunity staff may include dismissal, suspension or transfer to other duties for any employee who breaches the Child Protection Policy or Safeguarding Code of Conduct.

If an incident is suspected of being a criminal offense, it will be reported to the local enforcement authorities unless it is at odds with the wishes or welfare of the child or their parent, or it would pose a threat to the life or safety of another individual.

2. Reporting process for Opportunity-funded implementing partners

Opportunity-funded implementing partners are required to report any suspected or alleged instances of child abuse, exploitation, harm or non-compliance with the child protection policy through the organisation's internal processes and to Opportunity as soon as possible after becoming aware of an incident. Partners can report the incident to their Opportunity Relationship Manager or to Opportunity's Safeguarding Officer (who is the Program Officer) via email or phone.

The Safeguarding Officer will record all reported incidents in the Safeguarding Misconduct register using deidentified information and inform the Complaints Officer, as well as the Company Secretary and CEO so they can inform the Opportunity Board.

Opportunity will immediately report to DFAT any suspected or alleged instances of child abuse, exploitation, harm or Child Protection Policy non-compliance in the delivery of its Australian Government-funded programs, and likewise to other funders as per contractual requirements.

If appropriate, Opportunity may provide additional capacity building and support to the partner to help it implement an appropriate response to an incident.

USE OF CHILDREN'S IMAGES

Opportunity will portray children in a respectful, appropriate and consensual way, as set out in Opportunity's Photography Guidelines⁴ and Opportunity's Safeguarding Code of Conduct.

VISITING PROGRAMS OVERSEAS

Opportunity conducts visits to its programs overseas, for example, monitoring and evaluation visits or Insight Trips for raising awareness about development issues. In order to ensure all reasonable precautions are taken to protect children from people who may wish to exploit or abuse them during those visits, the following guidelines must be adhered to:

⁴ See Opportunity's Photography Guidelines <https://app.box.com/s/meipo8sku38qhdpegcozy9x57nql0oyc>

- All visits to programs overseas, without exception, will be arranged through Opportunity. Unauthorised visits are when a person visits a community directly or arrives at the overseas office of an organisation funded by Opportunity, requesting access to clients without the required approvals obtained from Opportunity. In this event, the Opportunity-funded organisation can elect to decline the visit or to manage the person according to the guidelines outlined in this Child Protection Policy and Opportunity's Safeguarding Code of Conduct.
- In preparation for a visit, all visitors must:
 - Complete a Criminal Record check before visiting program countries
 - Receive and read Opportunity's Child Protection Policy and Preventing Sexual Exploitation, Abuse and Harassment Policy and agree to comply
 - Be provided with information concerning appropriate behaviour during visits to programs overseas
 - Read, sign and return Opportunity's Safeguarding Code of Conduct before the visit.
- While visiting Opportunity's programs overseas, visitors must be accompanied by an Opportunity and/or Opportunity-funded organisation's staff member (or authorised volunteer) at all times. During the visit, a visitor should never spend unsupervised time with a child.
- Any gifts for, or correspondence to, clients and/or their children from Opportunity staff and visitors will be facilitated through and screened by the Opportunity-funded organisation.

Inappropriate behaviour on the part of the visitor toward any child must be addressed and reported immediately. The Opportunity or Opportunity-funded organisation's staff member accompanying the visitor will seek the assistance of their supervisor and follow the guidelines established by the Opportunity Child Protection Policy.

APPROPRIATE USE OF COMMUNICATION SYSTEMS

Using Opportunity systems to access child exploitation material or to engage in online grooming is prohibited and will be dealt with promptly, including reporting of the incident to relevant law enforcement agencies, as appropriate. Opportunity personnel who are aware of child exploitation material on a work computer or other piece of technology can report this to the Australian Federal Police Child Protection Operations Team (CPO). Any inappropriate material should not be discussed, forwarded or deleted without the express agreement of CPO.

SAFEGUARDING CODE OF CONDUCT

All personnel, visitors to Opportunity's programs overseas, Directors and volunteers must sign and comply with Opportunity's Safeguarding Code of Conduct which sets stringent standards for behaviour in relation to children. Opportunity expects staff, visitors, contractors, and volunteers to avoid actions or behaviours that could be construed as child exploitation and abuse during their engagement with Opportunity.

INDIVIDUAL CONTRACTORS

An individual contractor is not required to have a child protection policy. However, individuals contracted for engagements that involve working with children or contact with children are required to sign Opportunity's Safeguarding Code of Conduct and provide evidence of their commitment to child protection, for example, sign a contract that includes clauses that state their commitment to child protection.

REVIEWING THE CHILD PROTECTION POLICY

Opportunity's Child Protection Policy will be reviewed at least every three years, or sooner if required. This policy is next due to be reviewed in 2026.

DEFINITIONS AND TERMS

1. Abuse

Includes:

- **physical abuse**—the use of physical force against a child that results in harm to the child. Physically abusive behaviour includes shoving, hitting, slapping, shaking, throwing, punching, kicking, biting, burning, strangling and poisoning
- **neglect**—the failure by a parent or caregiver to provide a child (where they are in a position to do so) with the conditions that are culturally accepted as being essential for their physical and emotional development and wellbeing
- **emotional abuse**—refers to a parent or caregiver's inappropriate verbal or symbolic acts toward a child or a pattern of failure over time to provide a child with adequate non-physical nurture and emotional availability. Such acts have a high probability of damaging a child's self-esteem or social competence
- **sexual abuse**—the use of a child for sexual gratification by an adult or significantly older child or adolescent. Sexually abusive behaviours can include fondling genitals, masturbation, oral sex, vaginal or anal penetration by a penis, finger or any other object, fondling breasts, voyeurism, exhibitionism and exposing the child to, or involving the child in, pornography⁵.
- **ill-treatment**—disciplining or correcting a child in an unreasonable and seriously inappropriate or improper manner; making excessive and/or degrading demands of a child; hostile use of force towards a child; and/or a pattern of hostile or unreasonable and seriously inappropriate degrading comments or behaviour towards a child

Note: the above includes a child or children being present (hearing or seeing) while a parent or sibling is subjected to any of the above.

2. Child or children

In accordance with the United Nations Convention on the Rights of the Child, 'child' means every human being under the age of 18 unless under the law applicable to the child, majority is attained earlier. For the purposes of this policy, Opportunity considers a child to be a person under the age of 18 years.

⁵ Fact Sheet No. 12 *What is child abuse and neglect?* National Children's Clearinghouse, Australian Institute of Family Studies.

3. Child abuse material

Material that depicts (expressly or implicitly) a child under 18 years of age as a victim of torture, cruelty or physical abuse.

4. Child exploitation

One or more of the following:

- 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 child for profit, labour, sexual gratification, or some other personal or financial advantage

5. Child exploitation material

Material, irrespective of its form, which is classified as child abuse material or child pornography material.

6. Child labour

In accordance with the International Labour Organisation's International Programme on the Elimination of Child Labour, 'child labour' means 'work that deprives children of their childhood, their potential and their dignity, and that is harmful to physical and mental development'. It refers to work that 'is mentally, physically, socially or morally dangerous and harmful to children; and interferes with their schooling by: depriving them of the opportunity to attend school; obliging them to leave school prematurely; or requiring them to attempt to combine school attendance with excessively long and heavy work.'

7. Child pornography

In accordance with the Optional Protocol to the Convention on the Rights of the Child, 'child pornography' means '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.' For further information regarding child pornography offences, refer to the Criminal Code Act 1995.

8. 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, or appears to be engaged in, a sexual pose or activity, and does this in a way that a reasonable person would regard as being, in all the circumstances, offensive⁶.

⁶ This definition has been extracted from the *Criminal Code Act 1995*. See Part 10.6 of the criminal code for the full definition.

9. Child protection

An activity or initiative designed to protect children from any form of harm, particularly arising from child exploitation and abuse.

10. Child Safeguarding

The broad obligation on staff and partners to ensure that the design and delivery of Opportunity's programs and organisational operations do not expose children to adverse impacts, including the risk of abuse and exploitation, and that any concerns about children's safety within the communities where they work are appropriately reported.

11. Child sex tourism

The commercial sexual exploitation of children by people who travel domestically or internationally, and while there, engage in sexual acts with people under 18 years old.

12. Child sex trafficking

Children who are lured, kidnapped, sold, transported, threatened, drugged, beaten, imprisoned and forced into having sex with persons over 18 years old.

13. Grooming

Generally refers to behaviour that makes it easier for an offender to procure a child for sexual activity. For example, an offender might build a relationship of trust with the child, and then seek to sexualise that relationship (for example by encouraging romantic feelings or exposing the child to sexual concepts through pornography).

14. Online grooming

The act of sending an electronic message to a child, 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 a child.

15. 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 whether intended or unintended.

16. Informed consent

Ensures the child and the parent or guardian understand the implications, purpose and potential uses of photographs or videos.