

## HFHSA Child Protection Policy

<b>Policy Title</b>	<b>Child Protection Policy</b>		
<b>Authorised by</b>	<b>Board of Directors</b>		
<b>First Implemented</b>	<b>24 May 2015</b>	<b>Last Review</b>	<b>31 January 2023</b>
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<b>HFHSA Policy Ref</b>	<b>1.1.8</b>	<b>Standard of Excellence</b>	<b>1.4.3</b>

Habitat for Humanity Australia SA (HFHSA) recognises and is committed to the principles enshrined in Article 19 of the UN Convention on the Rights of the Child that all children, wherever they may live and whatever their circumstances, have the right to be protected, nurtured and free from all forms of violence, abuse, neglect, maltreatment and exploitation.

### Introduction to the policy

The aim of the Child Protection Policy is to ensure that HFHSA personnel take all possible steps to make certain that children involved in Affiliate activities are protected against all forms of child abuse and harm.

Most of HFHSA's activities do not involve working with, or directly providing services to children or young people. However, HFHSA has zero tolerance for all forms of child abuse and understand we are responsible for the care and safeguarding of children.

This policy seeks to cover the following primary areas of risk to children taking into account the nature of our activities:

- Risk of physical injury whilst on a building site or participating in another Affiliate activity such as on a Disaster Recovery property, a Brush with Kindness project, or at our Restore outlet.
- Risk of harm from another person whilst on a building site or volunteering in an HFHSA activity.
- Risk of harm because a person can discover the identity of a child following publicity relating to the Affiliate.

A risk is unacceptable because either the likelihood or the gravity of possible harm to a child or to the Affiliate is considered too great.

### Child Protection Policy Objectives

1. To ensure that employees and volunteers are mindful and fully aware of the Child Protection Policy and any applicable requirements.
2. To clarify the implications in the event of breaching the Child Protection Policy.

3. To identify the training requirements of employees and volunteers in relation to the Child Protection Policy on behalf of HFHSA.

**Policy Scope**

1. Committee and Board members of HFHSA.
2. All individuals applying to work with and become an employee of HFHSA or volunteer with HFHSA.
3. Staff that may supervise, mentor and assist volunteers.

## Definitions

<b>Affiliate</b>	Any and all Chapters that is state based not for profit organisation in Australia that has been approved by Habitat for Humanity Australia(HFHA) for the purpose of entry into an Affiliate agreement. HFHSA has entered into an Affiliate agreement and been approved for operation within South Australia. HFHSA remains fully liable for all aspects of its activities including governance, operation of housing programs, finances, fundraising, workplace health and safety, brand usage and standards.
<b>Affiliate activity</b>	any activity organised by HFHSA. This includes, but is not limited to: <ul style="list-style-type: none"> <li>• work on a building site,</li> <li>• a Brush with Kindness activity,</li> <li>• work at a ReStore / Office.</li> </ul>
<b>Chapter</b>	A chapter means a volunteer group, usually defined by geographic location that undertakes a Housing / Shelter program on behalf of and under the direction of the Affiliate being HFHSA.
<b>Child</b>	A person under the age of 18 years.
<b>CPO</b>	Child Protection Officer
<b>Executive Officer (EO)</b>	Executive Officer of HFHSA
<b>Guardian</b>	an adult other than a parent who has been legally appointed to care for a child or who has been given written permission by a parent to involve a child in an Affiliate activity.
<b>HFHA</b>	Habitat for Humanity Australia Ltd (ACN 131 976 004)
<b>HFHSA</b>	Habitat for Humanity Australia (South Australia) Inc. (ACN 159 846 232). HFHSA is an Affiliate of HFHA
<b>HFHSA Personnel</b>	staff employed by HFHSA, any volunteer, consultant or contractor deemed by the Executive Officer to have involvement with an allocated HFHSA activity.
<b>Program Coordinator</b>	A lead Volunteer or Staff member responsible for activities including resourcing for a specific program eg Restore Store.
<b>Supervisor</b>	A lead Volunteer or Staff member specifically tasked with supervising, mentoring and/or assisting a Volunteer.
<b>Volunteer</b>	Any person from the community who offers to do work for HFHSA without monetary compensation and has sighted, acknowledged and signed the HFHSA Volunteer Agreement.

### **Overview**

HFHSA is committed to: operating a 'child safe' environment; complying with statutory regulations requiring the screening of newly appointed personnel, including volunteers; managing risk arising from children in the workplace; ensuring it has processes in place to prevent and respond promptly and thoroughly to allegations or suspicion of child abuse; providing support to victims of abuse. HFHSA will endeavour to provide a child safe workplace and foster governance, leadership and an organisational culture that is protective towards children.

### **Policy Statement**

**HFHSA will meet its child safety obligations by adhering to the following procedures:**

#### **Recruitment**

HFHSA will properly select and screen all persons involved in HFHSA activities where children are present. Where more than occasional contact with children is likely, screening must include Working with Children checks in addition to professional and personal reference checks, proof of identity and qualifications, and Criminal Record checks. The CPO is responsible for compliance.

#### **Child Protection Awareness and Training**

Upon commencement all HFHSA personnel will be provided with appropriate Induction and Child Protection Awareness and Training and sign a Code of Conduct relating to Child Safety.

#### **Code of Conduct**

HFHSA has a Code of Conduct specifying appropriate behaviour for all persons involved in the Affiliates activities. Failure to comply may result in disciplinary action, including termination of employment or of the volunteer role.

#### **Communication**

HFHSA will ensure that Child Protection related documents are available online and included in Induction packs (as appropriate), and that where an Affiliate activity involves children or young people they are made aware of the safeguards that exist for their protection.

#### **Risk Assessment**

**At the outset any proposed HFHSA activity or project will determine whether children are likely to be involved; for example, when they may be accompanying volunteering parents or guardians.**

1. The presence of a child at the site of an Affiliate activity must be subject to consideration of whether there is an unacceptable risk posed to the particular child. This principle governs all other aspects of this policy. Risks to be considered include the child's physical capacity, the child's ability to understand and follow instructions and the level of supervision to be provided by a parent or Guardian.
2. All workplace safety instructions and guidance that apply to adults are also to apply to children.
3. This policy does not apply to children who are engaged in an Affiliate activity because they are employed by a third party. *eg, an apprentice (under 18 years of age) whose employer is responsible for their safety.*

#### **Compliance with law**

4. Affiliates will seek to ensure that they comply with any Commonwealth or State law regarding the employment or protection of children. This policy is to be read subject to any such law.

**When can a child work on a building site or other Affiliate activity?**

5. The responsibility for assessing the level of risk lies with any person authorised by HFHSA to organise the activity and any person with delegated responsibility for the activity at the time it is happening.

6. No child should be involved in an Affiliate activity when they would be expected to be at school in the normal course of events unless they are participating in a school approved volunteer activity.

7. Any child aged 16 or over can work in an Affiliate activity without permission of a parent or Guardian.

8. Children aged between 15 and 16 are allowed to work in an Affiliate activity with parental permission but without direct parent/ guardian supervision.

9. Children aged below 15 years may be involved in an Affiliate activity with direct parental/guardian supervision.

*Particular situations in which a younger child might be permitted to work include:*

- *A child of a homeowner partner family, perhaps working on their own bedroom*
- *A child who is part of a properly organised group such as her school group or church group*

10. School groups involved in an Affiliate activity will usually involve children of Year 10 level or above unless special arrangements are made with the Affiliate.

**When is a child allowed to be touched?**

11. A child should only be touched:

When it is in the child's best interests. *eg keeping out of danger, a first aid officer providing assistance, providing comfort after injury.* When the touch is essential for the work being done *eg showing how to use a piece of equipment.*

**Can anyone be alone with a child?**

12. An adult who is not a parent or guardian should not be alone with a child at an Affiliate activity at any time unless there are special circumstances which apply; for example, *where the child has been injured and needs care.*

**Photos and identification**

13. Photographing or filming of children is not allowed without the prior written consent of a parent or guardian. Identifying of a child by name or specific location is not permitted. *eg a photo can include all family members but only names the parents. It can say that they are Rana and Darryl and their children from Newtown but not the address.*

**Advising volunteers of this policy**

14. All volunteers on a build site are to be informed of this policy when a child is involved in an Affiliate activity. This is the responsibility of the person in charge of the Affiliate activity.

**Child Protection Officer**

15. HFHSA will appoint a Child Protection Officer (CPO) who is trained in this Child Protection policy. This person may be a member of staff, a HFHSA Board member or another suitable person appointed

to this role. It is the responsibility of the Affiliate to ensure appropriate training of the CPO. All Affiliate Board and staff members and at least one person at chapter level must know who the CPO is and how to contact them as necessary. The person in charge of any Affiliate activity in which children are involved must also know the name and contact details of the Child Protection Officer.

HFHSA's designated CPO is Sarah Taylor, Restore Manager, Habitat for Humanity SA.

#### **Dealing with a Child Protection Policy breach or child protection concerns**

16. Any breach of this policy or any reasonable concern about the welfare of a child involved in an Affiliate activity is to be reported promptly by a member, volunteer or employee who becomes aware of a breach or conduct that may adversely affect the welfare of a child.

17. A report should be made directly to the CPO or to the person responsible for the Affiliate activity at the time who is then to report the matter to the CPO at the earliest possible time.

This includes:

- a self-report *eg a person reports unexpectedly finding themselves alone with a child at the back of a building;*
- any concern that a child (whether from a partner family or otherwise) is at risk of harm;
- recognition that some breaches of the policy may be accidental in nature and intent . *eg happening to be on a particular part of a site when others aren't present.*

#### **Steps to be taken on suspected breach**

18. All allegations of breach of this policy should be dealt with promptly, seriously, sensitively and confidentially. A person will not be victimized for reporting an allegation of harm to or abuse of a child and the privacy of all persons concerned will be respected.

19. Where there are reasonable grounds for believing that an offence has occurred that warrants reporting to the South Australian Police it should be reported as soon as practicable by any Board member, employee, or adult person acting on behalf of HFHSA. If urgent phone the Child Abuse Report Line (CARL) 131 478.

20.. All reports of breach of this policy are to be recorded in writing and notified to the CPO along with any action taken regarding the reported breach. The written Report should be in the Child Protection Procedure form annexed to this policy as Schedule 2. The CPO is to keep a written record of reports of breaches. *Eg a person in charge of a build day would record that a person hugged a child of a homeowner partner or another volunteer's child.. The action taken was to warn the person that the behaviour was not appropriate.*

21.. The person responsible for the Affiliate activity at the time must consider whether any person who they reasonably suspect of breaching this policy should leave the activity. This need not happen if there are grounds to conclude that they are satisfied that the breach was accidental and that the interests and welfare of any child participating in the Affiliate activity will not be adversely affected by the person remaining on the site.

22. . The CPO is to take all reasonable steps to ensure that any person who may have breached this policy is not involved in any other activity of the Affiliate until the possible breach has been dealt with.

23.. The CPO must provide a written report to the EO concerning:

- any behaviour which appears to be criminal behaviour and is to be reported to police; and /or
- any behaviour which raises a real concern that a child is at serious risk of harm.

HFHSA's EO must then act on the report as required. The South Australian Department for Child Protection is a source of advice: [childprotection.sa.gov.au](http://childprotection.sa.gov.au).

24. . HFHSA's EO will then report the matter to the Board at the earliest opportunity. The EO will report action taken and recommend any further action required.

25. If the person who is the subject of an alleged or suspected breach of this policy is the EO, the CPO is instead to provide the report referred to in Clauses 23 and 24 to the Chair of HFHSA's Board who is to have the same responsibilities as the EO.

26. If the person who is the subject of an alleged or suspected breach of this policy is the CPO, the EO is to prepare the report referred to in Clauses 23 and 24.

27. . HFHSA has a register to record any reports of breaches of this Child Protection Policy and reports of child protection concerns. The CPO appointed from time to time is responsible for keeping the register up to date.

28. . HFHSA's Board must deal with any reported breach of this policy in a timely matter. The Board may conduct its own inquiries but should not pursue those inquiries while there is an ongoing Police or child protection inquiry or investigation.

29. When a written report is made under the provisions of this policy, the Board is to determine whether the conduct reported represents an unacceptable risk that the welfare of other children may be affected by the person or persons involved in the alleged conduct by participating in future Affiliate activities and that there is a risk to the reputation of the Affiliate and HFHA.

30. . If satisfied that such a risk exists, the Board must decide what steps are to be taken to ensure that that the risk is appropriately dealt with and managed. These steps may include, but are not limited to:

- Excluding a person from all future activities of HFHSA either indefinitely or for a specified period of time;
- Suspending a person from activities of HFHSA until specified conditions have been satisfied. The conditions may include self-funded involvement in child protection education;
- Deciding that the person can only participate in HFHSA activities under supervision;
- Warning a person regarding the appropriateness of their behaviour; or
- Providing appropriate information to HFHSA staff and other people supervising HFHSA activities to ensure that a person complies with any conditions imposed by the Board upon a person regarding child protection matters and/or this policy.

### **What is a reasonable belief?**

A reasonable belief is not the same as having proof. A reasonable belief might be formed when:

- A child states that they have been sexually abused;
- A child states that they know someone who has been sexually abused;
- Someone who knows a child reasonably believes the child has been sexually abused;
- Professional assessment of a child's behavior or development leads him/her to form a belief that the child has been sexually abused;
- Signs of sexual abuse leads to a belief that the child has been sexually abused.

### **Grounds for not reporting suspicion of child sexual abuse to the SA Police.**

A reasonable excuse includes fear for safety or where the informant believes the police have already been adequately informed. Apprehension about identifying the alleged perpetrator, reputational damage, legal liability, or financial risk is not reasonable grounds.

### **Breach of Policy**

Non-compliance with the directions contained in this policy may result in disciplinary action, the termination of employment, paid or voluntary, and/or legal action if warranted.

### **Implementation of this policy**

The Board and EO are to ensure that they are familiar with this policy and are responsible for its implementation. The EO is responsible for ensuring staff and volunteers have been made aware of and are familiar with this policy as part of their HFHSA on-boarding process.

### **Review Process**

The Child Protection Policy is to be reviewed by the Board of HFHSA every three years, or as required to meet any legislative and regulatory changes.

### **Related Documents**

Relevant Commonwealth and SA statutes and regulations.

HFHSA Code of Conduct

Child Protection Incident Report

HFHSA Employee Manual

HFHSA Volunteer Handbook