

Nusa Tenggara Association Safeguarding Policy

V1.1 August 2023

Preamble

The mission of the Nusa Tenggara Association (NTA) is to alleviate poverty in the province of Nusa Tenggara Timur, Indonesia. The NTA sponsors economic and social development activities selected by our sponsored communities, ranging from building water tanks and wells, through providing farming equipment and training to local farmers, to supplying books for schools and training local teachers. We employ and provide training to over twenty Indonesian staff in West Timor and Flores through our counterpart organisation, Nusa Tenggara Association – Indonesia (NTA-I). Several of our programs involve interaction with children and all our programs impact children either directly or indirectly.

Policies contained within this Policy:

- Child Protection Policy
- Policy for Preventing Sexual Exploitation, Abuse and Harassment

Child Protection Policy

Our Commitment to Protect Children

The NTA's activities and interactions with children are underpinned by the United Nations Convention on the Rights of the Child (UNCRC), which states that children should be protected from all forms of physical and mental violence, injury, abuse, neglect, maltreatment and exploitation, including sexual abuse. The NTA's commitment to child protection is supported by Indonesia's ratification (1990) of UNCRC, including (2012) ratification of the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography. NTA is committed to upholding these rights.

Purpose and Guiding Principles of this Child Protection Policy

NTA considers any form of child abuse and exploitation unacceptable and therefore has zero tolerance towards it. As a signatory to the ACFID Code of Conduct, NTA has policies and procedures which promote the safety and well-being of all children involved in its programs and activities, in particular, to minimise the risk of exploitation and abuse of children.

Zero tolerance of child exploitation and abuse

NTA has zero tolerance of child exploitation and abuse and is committed to the safety and wellbeing of all children. We support the rights of children and will act without hesitation to ensure a child-safe environment is maintained. NTA will not knowingly engage, directly or indirectly, with anyone who poses an unacceptable risk to children. We treat seriously all reported incidents of child exploitation and abuse and will deal with them in accordance with this policy.

Scope of this Policy

This policy provides the framework for minimising and managing the risk of abuse to children in the delivery of NTA's activities. This policy and the procedures contained in the attachments are used to develop operational procedures and monitoring systems specific to NTA's activities to evaluate and manage high-risk activities for child protection.

NTA Safeguarding Policy

This policy applies to all NTA and NTA-I staff, Board members, project visitors (volunteers and consultants retained by NTA) and staff, volunteers, partners and contractors of partner organisations of the NTA.

For the purpose of this policy a child is regarded to be any person under the age of 18 years. It is the responsibility of the appointed Child Safeguarding Officer (CSO) to monitor, review and coordinate child safeguarding procedures.

Definitions

Children / young people	Any person under the age of 18 years
Child abuse	Abuse happens to male and female children of all ages, ethnicity, social backgrounds, abilities, sexual orientation, religious and political beliefs. Child abuse includes <i>physical abuse</i> (use of physical force against a child that results in harm to the child), <i>neglect</i> (parent/caregiver fails to provide child with conditions that are essential for its physical and emotional development and wellbeing), <i>sexual abuse</i> (the use of a child for sexual gratification by an adult or significantly older child/adolescent), <i>emotional abuse</i> (where a child is repeatedly rejected or frightened by threats through inappropriate verbal or symbolic acts from parent/caregiver), <i>ill treatment</i> (unreasonable and inappropriate disciplining of a child, degrading demands, hostile use of force against a child), bullying, child labour and domestic violence
Child Exploitation	Child exploitation is one or more of the following: <ul style="list-style-type: none">- The act of using a child or minor for profit, labour, sexual gratification, or some other personal or financial advantage.- 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.
Child protection	Term used to describe the responsibilities and activities undertaken to prevent or stop children being abused or mistreated
Partner organisation	Any organisation, government or non-government, that carries out work on NTA's programs and projects, including official partner organisations. These include: <ul style="list-style-type: none">- Semau Island Community Development Foundation / Yayasan Pengembangan Masyarakat Pulau Semau (YPMPS); and- NTA Indonesia and downstream subcontractors.

Child safeguarding risk management

NTA staff and NTA's partner organisations must consider risks posed to children in the delivery of our programs. We recognise that risks to children are particularly high when:

- Staff are not screened or supervised adequately;
- Children are very young, have a disability or have been abandoned or orphaned;
- The areas in which children live are particularly isolated; and
- Activities involve one-to-one contact, staff working alone and unsupervised visitors.

NTA will not permit personnel to work with children if they pose an unacceptable risk to children's safety or wellbeing.

NTA staff and partner organisations will continually assess risks to children (whether formally or informally) and actively minimise opportunities and situations where children can be harmed.

NTA will undertake risk assessments to reduce the risk of any child being harmed due to NTA operations or activities related. The assessment will identify risks and document steps to be taken to reduce or remove these risks. All new projects must undertake a child protection risk assessment in addition to the project and environmental risk assessment. Risk assessments will be reviewed and updated regularly.

Code of Conduct

The NTA Code of Conduct covers child protection and prevention of sexual exploitation, abuse and harassment (PSEAH). All NTA Board members, staff, consultants and sub-contractors, volunteers visiting implementation sites, and partners are required to sign and understand the expectations outlined in the Code of Conduct at APPENDIX 1.

NTA's Code of Conduct outlines ethical standards and acceptable behaviour that must be adhered to by all NTA Board members, staff, consultants, volunteers, and partners. Breaching the Code of Conduct is considered a serious offence and carries with it disciplinary action, including possible termination, and if criminal activity is suspected, reporting to the relevant authorities.

Responsibility for child protection

Adherence to and understanding of this policy, procedures, and operational guidelines is mandatory for all staff and partners engaged by NTA. Opportunities will be provided for NTA personnel and partners to participate in child protection training at induction and every two years.

The CEO, in consultation with the NTA Board, is responsible for the implementation of this policy and for advising on the need to review and revise this policy as necessary.

Where issues related to this policy are identified, the CEO will work with staff and other relevant stakeholders to address these issues promptly.

The policy will be reviewed every five years and revised as needed. The Board will approve changes to this policy.

Best interests of the child

Australia became a signatory to the United Nations Convention on the Rights of the Child (UNROC) in 1990 (www.unicef.org/crc). In all actions concerning children, the best interests of the child shall be the primary consideration. NTA protects confidential information about children and their families in

NTA projects and demonstrates its responsibility to and respect for children by being sensitive in any communications that involve them.

NTA will provide opportunities for children's views to be heard and incorporate their views into our policies and programs. Children will be informed about NTA's child abuse reporting process and who to contact if they are at risk, have been abused, or are concerned about another child.

Use of children's images

NTA will always portray children in a respectful, dignified and non-identifiable way. The child and the child's parent/caretaker must always be asked for consent when taking their images and provided with details on how and where their image will be used.

The identity of the children captured in images must be protected at all times. NTA will not publish any identifying information or the location of the child when it publishes these images.

NTA will always comply with local traditions or restrictions about reproducing personal images. All images must be honest representations of the context and the facts.

Engagement of staff and volunteers

NTA is committed to child-safe recruitment, selection, screening, training, ongoing support and reporting practices. These practices aim to recruit the safest and most suitable people to work in our programs.

NTA will assess all positions to determine their level of contact with children. If the position involves contact with children or working with children, NTA will undertake the recruitment and screening requirements outlined below.

NTA employment contracts will 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.

NTA undertakes the following process as part of the recruitment of Board Members:

- Criminal record checks before appointment. Police checks will be renewed every five years.
- At least two verbal referee checks (contact and working with children)
- Behavioural-based interview questions (for positions where the candidate is working with children).
- Provision of information on promoting a child-safe commitment.
- Provision of the NTA Child Protection Policy and a requirement to sign a copy of the Code of Conduct
- Acknowledging that they are aware of, and will adhere to, this Policy.
- Briefing and/or training prior to accessing NTA implementation sites or community events.

NTA undertakes the following as part of the recruitment process for paid staff who will have contact with children:

- Criminal record checks before appointment. Police checks will be renewed every five years.
- At least two verbal referee checks (contact and working with children).
- Behavioural-based interview questions (for positions where the candidate is working with children).
- Provision of information on promoting a child-safe commitment.

NTA Safeguarding Policy

- Information on promoting a child-safe commitment (available on our website) and where appropriate throughout the recruitment process and in communication with potential partners.
- All successful applicants receive a copy of the NTA Child Protection Policy and are required to fully understand and sign a copy of the Code of Conduct acknowledging that they are aware of, and will adhere to, the Policy.

All new employment contracts for the NTA will 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.

All partner organisations must ensure that staff, prior to appointment:

- Have had an appropriate criminal record check or made a statutory declaration and satisfied local employment requirements. Checks will be renewed every five years or when a specified clearance date is reached. Note: when there are delays in clearances new staff may visit field locations only when accompanied by other officers. Where police checks are not possible because local people do not have birth certificates, two referee reports will be required.
- Have signed NTA's Child Safeguarding Code of Conduct or equivalent.
- Have been briefed on and fully understand the Child Protection requirements and the implications of breaching them.

NTA undertakes a process for all donors and volunteers in contact with children as part of their engagement with NTA:

- Checks of criminal record or working with vulnerable people clearance before appointment.
- Verbal (and not written) referee checks, for volunteers working alone and where there is contact with or working with children or where there are extenuating circumstances.
- Provision of information on promoting a child safe commitment
- Behavioural-based interview questions (for positions where the candidate is working with children).
- Provision of the NTA Child Protection Policy and a requirement to sign a copy of the Code of Conduct acknowledging that they are aware of, and will adhere to, the Policy.
- Training or briefing of participants prior to accessing NTA implementation sites and community events.

Note: DFAT officers visiting NTA sites are already subject to referee and other checks. NTA will require DFAT officials to acknowledge understanding of the Child Protection Policy and to sign the Code of Conduct prior to accessing NTA sites.

From time to time, NTA invites donors and volunteers to join field visits, primarily as observers. Such volunteers participate in organised group visits under the close supervision of NTA or partner staff. Participants overnight outside of the implementation sites as a group in motels (or in the homes of NTA field officers where there are no motels).

All visitors, including donors and volunteers, must understand and comply with the NTA's Child Protection Policy. NTA must ensure all visitors comply with, and sign, its Child Protection Policy.

NTA will prevent a person from working with children if they pose an unacceptable risk to children, for example by having been charged with child exploitation or abuse in the past.

Child protection training

NTA will deliver child protection training to partners, and their staff working with NTA, through briefings and regular in-service courses. NTA and NTA partner staff will be expected to brief sub-contractors prior to them accessing implementation sites.

All new and current NTA staff and NTA partner's staff will receive training on child protection, policy enforcement, and child protection operational procedures within three months of induction and then every two years.

All volunteers participating in NTA trips are required to read its Child Protection Policy and sign a Code of Conduct. NTA will brief all volunteers and donors prior to them accessing NTA field locations.

Additional briefing will be provided where staff, volunteers and donors will be accessing NTA implementation sites outside the organised field visits.

Child abuse reporting processes

NTA considers the abuse and exploitation of children to be completely unacceptable. It takes all concerns and reports of child abuse seriously and acts on these reports immediately. It is mandatory for all NTA staff and others to report concerns or allegations of child abuse, as NTA has zero tolerance of inaction or non-reporting. These concerns may relate to a child or a staff member involved in the organisation or a concern about a child or person/s outside of the organisation's programs. Non-compliance with the Code of Conduct triggers reporting.

NTA will follow the project-specific operational procedures to manage reports and redress grievances (Appendix 2). All parties will be treated fairly and the principles of natural justice will be adhered to. This will involve providing a fair and reasonable opportunity to respond to matters, evidence or decisions that NTA believes may justify terminating their engagement with NTA, or other appropriate consequences. NTA will allow for an observer or support person where appropriate.

Malicious or deliberately false allegations will be taken very seriously, and the person making such allegations may face disciplinary action.

NTA is committed to preventing a person from working with children if they pose an unacceptable risk to children. NTA reserves the right to stand down a staff member, volunteer or contractor while an investigation is undertaken and to dismiss persons subject to the outcome of the investigation.

NTA contact officer in Australia

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NTA contact officers in Indonesia

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Tina Niat, email: tina_910@yahoo.co.id, Handphone: +62 852 8041 9539

Monitoring, evaluating and reviewing NTA and NTA partner activities

NTA regularly monitors, evaluates, and reviews all activities that involve children to ensure that we meet our commitment to safeguard children.

Links

ACFID Code of Conduct Commitment 1.4 We advance the safeguarding of children

https://acfid.asn.au/wp-content/uploads/2022/05/ACFID_Code_Dec-2019_published_high-res_0.pdf

DFAT Child Protection Policy [https://www.dfat.gov.au/international-relations/themes/child-protection/Pages/child-protectionConvention on the Rights of the Child - https://www.ohchr.org/sites/default/files/crc.pdf](https://www.dfat.gov.au/international-relations/themes/child-protection/Pages/child-protectionConvention%20on%20the%20Rights%20of%20the%20Child-%20https://www.ohchr.org/sites/default/files/crc.pdf)

Keeping Children Safe – A toolkit for child protection

<https://www.keepingchildrensafe.global/blog/2020/02/07/child-safeguarding-toolkit/>

Australian Legislation

Crimes Act 1914 Part III-A (Child Sex Tourism) The Crimes Act 1914 sets out the laws that govern the way legal proceedings under the Criminal Code Act 1995 are conducted, including the conduct of investigations and the protection of children involved in proceedings for sexual offences.

Criminal Code Act 1995, Division 272 (child sex offences outside Australia); Division 273 (offences involving child pornography material or child abuse material outside Australia); Division 474 (Telecommunications Offences, Subdivision C). This Act provides for a penalty of 10 years imprisonment for possession of child pornography depicting a person under 18 years of age, and up to 15 years imprisonment for online grooming of a person under 16 years of age

International Child Protection Instruments

In 1990 Australia ratified the United Nations Convention on the Rights of the Child (UNROC) www.unicef.org/crc

Optional Protocol to the United Nations Convention on the Rights of the Child on the sale of children, child prostitution and child pornography <https://www.refworld.org/docid/50b353232.html>

Optional Protocol to the United Nations Convention on the Rights of the Child on the involvement of children in armed conflict <https://www.refworld.org/docid/47fdb180.html>

Geneva Declaration of the Rights of the Child www.un-documents.net/gdrc1924.htm

ILO Convention 182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour

https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C182

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Policy for Preventing Sexual Exploitation, Abuse and Harassment

Our commitment to prevent sexual exploitation, abuse and harassment

NTA considers any form of sexual exploitation, abuse or harassment as unacceptable and therefore has zero tolerance towards it, including for inaction or non-reporting of concerns and allegations of SEAH. NTA takes this shared responsibility seriously and is committed to:

- create a safe working environment, free from sexual exploitation, abuse or harassment, where NTA associates are treated with dignity and respect.
- implement training and awareness-raising strategies to make sure everybody is aware of the meaning of sexual exploitation, abuse and harassment and incident-reporting procedures.
- encourage the reporting of behaviour that is breaching this policy
- treat all known and suspected reports of sexual exploitation, abuse and harassment in a sensitive, timely, respectful and confidential manner using a do-no-harm approach, prioritizing the rights, wishes and needs of the victim.

Purpose and guiding principles of this SEAH policy

NTA policies and procedures promote the safety and well-being of the people involved in its programs and activities, seeking to minimise the risk of sexual exploitation, abuse, and harassment to any individual. Having zero tolerance towards any kind of SEAH, NTA is committed to take action as soon as becoming aware of, or suspecting any such incident, applying the principles of natural justice at all times. NTA strongly encourages all its associates (staff, partner's staff, volunteers and contractors) to report any incidents immediately, following the incident-reporting procedures, as inaction is not tolerated.

Victims'/survivors' needs and safety are always prioritised, meaning that the victim is treated with dignity and respect, their privacy and confidentiality are protected, they are involved in the decision making, and they are fully informed. Assistance in counselling/health services is provided where needed to support recovery of the victim.

Scope of this Policy

This policy provides the framework for minimising and managing the risk of SEAH in the delivery of NTA's activities. This policy and the procedures contained in the attachments are used to develop operational procedures and monitoring systems specific to NTA's activities to evaluate and manage high-risk activities for sexual exploitation, abuse and harassment.

This policy applies to NTA and NTA-I staff, Board members, project visitors (volunteers and consultants retained by NTA), and staff members, volunteers, and contractors of NTA's partners.

Definitions

Sexual exploitation	Any abuse of a position of vulnerability, differential power or trust for sexual purposes.
Sexual abuse	Actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. (All sexual activity with someone under the age of consent is sexual abuse).
Sexual harassment	Any obvious or indirect, physical or verbal, repeated or one-off harassment of a sexual nature perpetrated by any person of any

	gender towards any person of any gender. Sexual harassment can be perpetrated against beneficiaries, community members, and citizens, as well as staff and personnel.
Transactional sex	The exchange of money, employment, goods or services for sex, including sexual favours.
Fraternalisation	Any relationship occurring in the course of conducting business that involves – or appears to involve – preferential treatment or improper use of rank or position including but not limited to voluntary sexual behaviour.
Adults with increased vulnerabilities	<p>Individuals, especially women, who:</p> <ul style="list-style-type: none"> • are young adults • have a disability • are of an ethnic, indigenous, religious or sexual minority • are experiencing poverty • are sex workers • are part of families impacted by disasters • are displaced, refugees, migrants or asylum seekers • are part of female headed households • are victims/survivors of trafficking and/or other forms of sexual and gender-based violence • are in contact with the law • are accessing residential/shelter services

Minimizing the risks

NTA will use a risk assessment to identify potential areas of risk for sexual abuse, exploitation, and harassment, including mitigation strategies to reduce these risks. In assessing risk, NTA will use the DFAT “Preventing Sexual Exploitation, Abuse and Harassment: Risk Guidance Note” and conform to the prescribed minimum standards.

NTA is committed to apply recruitment procedures and strategies that help identify people who pose a risk (i.e., a criminal record in sexual abuse, exploitation, or harassment), and to conduct a “working with vulnerable people” check where possible.

NTA reserves the right to stand down, terminate, or dismiss any association or contract with a person who is under investigation for a case of SEAH.

Code of conduct

The NTA Code of Conduct includes preventing sexual exploitation, abuse and harassment, and child protection (APPENDIX 1). The Code of Conduct outlines the expected behaviours that Board Directors, NTA staff, staff of NTA-I and other partner organization, volunteers, consultants, contractors, and their partner organisations are required to always display.

The Code of Conduct is required to be read, acknowledged, and signed prior to the engagement with NTA and prior to visiting NTA implementation sites.

Breaching the Code of Conduct is considered a serious offence and carries with it disciplinary action, including possible termination, and if criminal activity is suspected, reporting to the relevant authorities.

Responsibility for preventing SEAH

Adherence to this policy, procedures, and operational guidelines is mandatory for all staff and partners engaged by NTA. Opportunities will be provided for NTA personnel and partners to participate in PSEAH training.

The CEO, in consultation with the NTA Board, is responsible for the implementation of this policy and for advising on the need to review and revise this policy as the need arises.

Where issues related to this policy are identified, the CEO will work with staff and other relevant stakeholders to address these issues promptly.

Engagement of staff and volunteers

NTA is committed to recruitment, selection, screening, training, ongoing support and reporting practices that help to protect from SEAH. These practices aim to recruit the safest and most suitable people to work in our programs.

NTA undertakes a process as part of the recruitment process for Board Members:

- Criminal record checks before appointment. Police checks will be renewed every five years.
- Provision of information on preventing SEAH.
- Provision of the PSEAH Policy and a requirement to sign a copy of the Code of Conduct acknowledging that they are aware of, and will adhere to, the Policy.
- Briefing and/or training prior to accessing NTA implementation sites or community events

NTA undertakes the following process as part of the recruitment process for paid staff:

- Criminal record checks before appointment. Police checks will be renewed every five years.
- Verbal (and not written) referee checks.
- Provision of the PSEAH Policy and a requirement to sign a copy of the Code of Conduct acknowledging that they are aware of, and will adhere to, the Policy.
- Training on PSEAH

All new employment contracts for the NTA will 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.

All partner organisations must ensure that, prior to appointment staff:

- Have had an appropriate criminal record check or made a statutory declaration and satisfied local employment requirements. Checks will be renewed every five years or when a specified clearance date is reached.
- Have signed NTA's Code of Conduct or equivalent.
- Have been briefed on measures to prevent SEAH and the implications of breaching them.

NTA undertakes the following process for all donors and volunteers as part of their engagement with NTA:

- Checks of criminal record or working with vulnerable people clearance before appointment.

- Verbal (and not written) referee checks, for volunteers working alone or where there are extenuating circumstances.
- Provision of the PSEAH Policy and a requirement to sign a copy of the Code of Conduct acknowledging that they are aware of, and will adhere to, the Policy.
- Training or briefing of participants prior to accessing NTA implementation sites and community events.

Note: DFAT officers visiting NTA sites are already subject to referee and other checks. NTA will require DFAT officials to sign the Code of Conduct prior to accessing NTA sites.

NTA will prevent a person from visiting NTA activities if they pose an unacceptable risk, for example by having been charged with related offences in the past.

Training

NTA will deliver training for the prevention of SEAH to partners and their staff working with NTA, through briefings and regular in-service courses. NTA and NTA partner staff will be expected to brief sub-contractors prior to them accessing implementation sites.

All new and current NTA staff and NTA partner's staff will receive training for the prevention of SEAH, policy enforcement, and PSEAH operational procedures.

NTA regularly invites donors and volunteers to join field visits, primarily as observers. Such volunteers participate in organised group visits under the close supervision of NTA or partner staff. Participants overnight outside of the implementation sites as a group in motels (or in the homes of NTA field officers where there are no motels). All volunteers participating in NTA trips are required to read its SEAH Policy and sign the Code of Conduct. NTA will brief all volunteers and donors prior to them accessing NTA Field locations.

Additional briefing and training will be provided where staff, volunteers and donors will be accessing NTA implementation sites outside the organised field visits.

Reporting processes

NTA considers the abuse and exploitation of vulnerable people to be completely unacceptable. It takes all concerns and reports of SEAH seriously and acts on these reports immediately. It is mandatory for all NTA staff and others to report concerns or allegations of SEAH. NTA has zero tolerance of inaction in this regard.

NTA will take all such reports seriously and will follow the project-specific operational procedures accordingly to manage reports and redress grievances (APPENDIX 2). All parties will be treated fairly and the principles of natural justice will be adhered to. This will involve providing a fair and reasonable opportunity to respond to matters, evidence or decisions that NTA believes may justify terminating their engagement with NTA, or other appropriate consequences. NTA will allow for an observer or support person where appropriate.

Malicious or deliberately false allegations will be taken very seriously, and the person making such allegations may face disciplinary action.

NTA is committed to preventing a person from visiting NTA sites if they pose an unacceptable risk to vulnerable people. NTA reserves the right to stand down a staff member, volunteer or contractor while an investigation is undertaken and to dismiss persons subject to the outcome of the investigation. Non-compliance with the Code of Conduct triggers reporting.

Involving vulnerable people

NTA will provide opportunities for vulnerable people's views to be heard and incorporate their views into our policies and programs. Engagement with intended beneficiaries will be based on respect for diversity, promotion of gender equality and social inclusion, accountability, and a strong "do no harm" focus.

Educating on PSEAH

NTA is committed to educating staff, Board members and others on PSEAH, how to reduce risks, and how to create safe environments for vulnerable people. We will promote PSEAH practices, including reporting SEAH issues if there are concerns about an NTA member of staff or another representative in the organisation.

Monitoring, evaluating and reviewing NTA and NTA partner activities

NTA regularly monitors, evaluates and reviews all activities that involve vulnerable people.

Links

DFAT PSEAH Policy www.dfat.gov.au/pseah

Child Protection and SEAH Contact Officers

NTA contact officer in Australia

Ria Gondowarsaito, email: ria081954@gmail.com, Handphone: +61 43137 1669

NTA contact officers in Indonesia

Yanes Do Djeta (Director NTA-Indonesia) email: yeanekadja2903@gmail.com, Handphone: +62 852-5307-2707

Tina Niat, email: tina_910@yahoo.co.id, Handphone: +62 852 8041 9539

NTA Reporting and Responding procedures to Child Protection & SEAH Concerns

<i>Who can make a report?</i>	Child or young person or individual in NTAs project area	Individual, parent or community member in NTAs project area	NTA-staff, staff from NTAs implementing partners, NTA volunteers and consultants
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NTA Safeguarding Policy

<i>What do we report?</i>	<p>Any incident where you suspect, observe, become aware of, or are concerned about:</p> <ul style="list-style-type: none"> • Allegations, suspicions, observations, disclosures of child abuse or SEAH committed by NTA staff, NTA partners staff or NTA volunteers/consultants • Concerns about the action or behaviour of NTA staff, NTA partner's staff or NTA-volunteers/consultants that has harmed or put a child or vulnerable person at risk of harm • Suspected or confirmed breaches of the NTA Safeguarding Policy and / or NTA Code of Conduct by NTA Staff, NTA partner's staff or volunteers/consultants • Information received of criminal proceedings being undertaken against NTA Staff, NTA partner's staff or volunteers/consultants in regard to child exploitation and abuse or SEAH
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<i>When do we report?</i>	Immediately or as soon as practically possible
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<i>Who do we report to?</i>	<ul style="list-style-type: none"> • Call the Police or Ambulance if it is safe to do so and the child or vulnerable person is in immediate danger • Inform NTA-I Director and the NTA Child Safeguard or SEAH focal person right away. • Complete a child protection/SEAH reporting form (APPENDIX 3) and send form to one of the NTA Child Safeguard or SEAH focal persons or NTA-I Director, who will inform the NTA CEO. • CEO will immediately report every case to DFAT Child Protection or SEAH Compliance Service Section
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<i>What's our initial response?</i>	<ul style="list-style-type: none"> • If an allegation may constitute a criminal offence, make a report to the police (if alleged offender is an Australian citizen report to Australian Federal Police as well as the local police). • Assess possible risks posed by accused to children or vulnerable person and take necessary action (besides formal warning, transfer to other duties, suspension, dismissal - depending on results of investigation) • Address the support needs of both the child or vulnerable person and the person who is the subject of the allegation • Keep accurate file notes • Handle all reports confidentially • Always apply principles of natural justice
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Reviewing this policy

This policy will be reviewed every 5 years or as required to assess its effectiveness, appropriateness, and accuracy.

Reviewing this policy

Version	Date	Approved by Board	Details
1.0	Feb 2021	Feb 2021	First draft of policy. Previously part of Human Rights Policy
1.1	August 2023	30 Aug 2023	Review. Change of contact officers

APPENDIX 1 – CODE OF CONDUCT

To be signed by all Board members, staff, subcontractors, volunteers visiting implementation sites and partners of NTA.

CODE OF CONDUCT

(Child protection and preventing sexual exploitation, abuse and harassment)

(based on DFAT CPP June 2018)

I, [insert name], acknowledge that I have read and understand NTA's Child Protection Policy and PSEAH Policy, and agree that in the course of my association with NTA, I must:

- treat all vulnerable people, including children and young people with respect, listen to and value their ideas and opinions
- not use language or behaviour towards vulnerable people and especially children that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate
- not expose children to alcohol, drugs or gambling
- not provide children with gifts
- not engage children under the age of 18 in any form of sexual intercourse or sexual activity.
- Not engage in transactional sex while engaged in the direct delivery of NTA or DFAT business
- if non-national personnel, not fraternise while engaged in the direct delivery of the DFAT funded business in high-risk situations.
- wherever possible, ensure that another adult is present when working in the proximity of children
- not invite unaccompanied children or other vulnerable people into a private residence, unless they are at immediate risk of injury or in physical danger
- not sleep close to unsupervised children unless necessary, in which case the supervisor's permission must be obtained, and ensuring that another adult is present if possible (noting that this does not apply to an individual's own children)
- never use any computers, mobile phones, video cameras, cameras, or social media for the purpose of exploiting or harassing vulnerable people including children, or access child exploitation material through any medium
- not use physical punishment on children or other vulnerable people
- not hire children for domestic or other labour: which is inappropriate given their age or developmental stage; which interferes with their time available for education and recreational activities; or which places them at significant risk of injury
- comply with all relevant Australian and local legislation, including labour laws in relation to child labour
- immediately report concerns or allegations of child exploitation and abuse and policy noncompliance in accordance with appropriate procedures
- Immediately report concerns or allegations of sexual exploitation, abuse, or harassment

- immediately disclose all charges, convictions and other outcomes of an offence that relates to child exploitation and abuse, including those under traditional law, which occurred before or occurs during my association with NTA
- be aware of the behaviour and avoid actions or behaviours that could be perceived by others as child exploitation and abuse
- not exploit the vulnerability of others, particularly women and children and those who are vulnerable
- not commit any form of harassment
- not engage in behaviour to shame, humiliate or emotionally abuse vulnerable people, especially a child or young person
- not act in a sexually provocative manner or engage vulnerable people and especially children in any form of sexual activity
- not access or create sexually abusive images of vulnerable people, including children

These behaviours are not intended to interfere with normal family interactions.

When photographing or filming a child or using children's images for work-related purposes:

- take care to ensure local traditions or restrictions for reproducing personal images are adhered to before photographing or filming a child
- obtain informed consent from the child and parent or guardian of the child before photographing or filming a child. An explanation of how the photograph or film will be used must be provided
- ensure photographs, films, videos, and DVDs present children in a dignified and respectful manner and not in a vulnerable or submissive manner. Children should be adequately clothed and not in poses that could be seen as sexually suggestive
- ensure images are honest representations of the context and the facts
- ensure file labels, meta data or text descriptions do not reveal identifying information about a child when sending images electronically or publishing images in any form.

I understand that the onus is on me, as a person associated with or engaged by NTA to use common sense and avoid actions or behaviours that could be construed as child exploitation and abuse. Also, I must immediately report any suspected cases of child abuse to NTA.

I understand that a breach of the NTA Child Protection Policy or this Code of Conduct may provide grounds for my employment or association with the NTA to be terminated. I also understand that a breach of this Policy could result in criminal prosecution.

Signed:

Date:

APPENDIX 2 – RESPONSE AND COMPLAINTS HANDLING PROCEDURES - CHILD SAFEGUARDING AND PSEAH

NTA will take all reports of abuse of children and sexual exploitation, abuse and harassment seriously and act on these reports immediately by following the NTA procedures for incident reporting.

NTA requires all its staff and associates to report any incident or suspicion of child exploitation and sexual abuse and policy non-compliance AND sexual exploitation or harassment of any adult immediately. NTA will ensure that all parties are treated fairly and that any employee who intentionally makes false allegations will face disciplinary action. Employees who make allegations or express concerns in good faith will not be penalised. All reports will be handled professionally, confidentially, and expeditiously. All reports and the names of people involved will only be discussed between the NTA-I Director, the child safeguard focal person, the CEO, the person involved, and any relevant authorities.

NTA must notify the Department of Foreign Affairs and Trade (DFAT) of any reports associated with NTA activities in line with DFAT recording processes. A report will be prepared and where a criminal offence is involved the alleged incident will be reported to the police subject to no harm principles.

The NTA procedure for incident reporting in Child Safeguarding is the following:

Who should report?

All NTA-staff, partner's staff, NTA contractors and consultants, and NTA volunteers plus any community member.

What should be reported?

Any allegations, suspicions, observations, or disclosures of child abuse or SEAH committed by NTA staff, NTA partners' staff, or NTA volunteers or consultants or other relevant stakeholder.

Concerns about the action or behaviour of NTA staff, NTA partners' staff, or NTA volunteers or consultants.

Suspected or confirmed breaches of the NTA Child Protection Policy, Policy for PSEAH or Code of Conduct by NTA staff, NTA partners' staff or volunteers or consultants.

Information received of criminal proceedings being undertaken against NTA staff, NTA partners' staff or volunteers or consultants regarding exploitation and abuse of vulnerable people including children.

Who should it be reported to?

Any incident will be reported to NTA-I Director or the NTA Child Safeguard Focal Person, or other relevant contact person, if the incident happens in Indonesia. If there are any concerns, the CEO can be informed directly.

Incidents within Australia are reported directly to the NTA CEO or the nominated NTA contact person, who will then inform the members of the Board and make a formal report. Reports will be made to DFAT for any suspected or alleged cases of SEAH or child abuse perpetrated by anyone within the scope of the PSEAH and Child Protection Policies. Child

abuse reports will be made via childwelfare@dfat.gov.au and reports of breaches to the PSEAH policy via seah.reports@dfat.gov.au.

When should it be reported?

Immediate - within 24 hours of any suspected or alleged incident of child exploitation or abuse or non-compliance with the Child Protection Policy by anyone within the scope of the policy undertaking official duties or business.

Immediate - within two working days of becoming aware of an alleged incident of sexual exploitation, abuse or harassment of any adult related to the delivery of NTA business. This includes any alleged incident that poses a significant reputational risk to NTA or DFAT, for example, an allegation against a senior staff member of a partner organisation.

Mandatory reporting - within five working days of any alleged policy non-compliance by anyone within the scope of the PSEAH policy.

What's our initial response?

Incident reports are made to either the NTA-I Director or the Child Safeguard Focal Person, who will then inform the NTA CEO, using the incident report form in APPENDIX 3. If this is not possible, a report can be made directly to the NTA CEO. All reports are recorded in the Register of Incidents.

If allegations may constitute a criminal offence, a report to the police is made (if safe to do so). If the alleged offender is an Australian citizen, report to Australian Federal Police as well as the local police.). NTA will do what is necessary to protect vulnerable people including children from any further risks by the accused and has the right to suspend or dismiss the person during or after the investigation. NTA will immediately notify the Department of Foreign Affairs and Trade (DFAT) of any suspected or alleged case of SEAH, child exploitation, abuse, or policy non-compliance by anyone within the scope of this policy.

NTA reserves the right to terminate contract negotiations, stand down individuals, refuse to engage an individual, or require an individual to be replaced if appropriate criminal record checks are not undertaken, or cannot be undertaken for roles that are identified as working with or having contact with vulnerable people including children. The NTA will prevent a person from working with vulnerable people including children if they pose an unacceptable risk.

What will happen next?

The CEO in consultation with the relevant contact person will discuss the allegations and then implement the next step. It will be as follows:

- obtain more information if required
- then report to local police and/or an appropriate child protection authority for their action;
- or manage the allegation internally, if it is not a criminal matter, following procedures for managing misconduct;
- or determine that there is no substance to the allegation.
- then communicate to the informant that appropriate action has been taken
- keep a confidential report of the action taken
- make a de-identified report of allegations, using the DFAT Child Incident Notification Form, to the Conduct and Ethics Unit via childwelfare@dfat.gov.au or to the Sexual

Exploitation, Abuse and Harassment Incident Service section via
seah.reports@dfat.gov.au

- All reports of alleged SEAH incidents should be made using the DFAT Sexual Exploitation, Abuse and Harassment Incident Notification Form (www.dfat.gov.au/pseah) and emailed to seah.reports@dfat.gov.au

Where safe to do so, and when in accordance with the wishes of the victims, survivors and whistleblowers, **all alleged SEAH incidents that involve a criminal aspect will be reported through the correct local law enforcement channels**. To protect the privacy of alleged perpetrators, victims/survivors, and whistleblowers, information provided to DFAT will be handled in accordance with the *Privacy Act 1988 (Cth)*.

NTA will treat all concerns raised seriously and ensure that all parties will be treated fairly, giving prime consideration to the principles of natural justice. All reports will be handled professionally, confidentially, and expeditiously.

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. NTA will ensure that the interests of anyone reporting child abuse in good faith are protected. Any employee/volunteer who intentionally makes false and malicious allegations will face disciplinary action.

The rights and welfare of the victim are of prime importance. Every effort must be made to protect the rights and safety of the victim throughout the investigation.

Partner organisations with whom NTA works will be provided with information about how to report any child safeguarding or SEAH concerns about NTA staff members and others.

How to respond to a victim who has been abused

When a victim tells you that he or she has been abused, they may be feeling scared, guilty, ashamed, angry, and powerless. You, in turn, may feel a sense of outrage, disgust, sadness, anger, and sometimes disbelief.

If a victim discloses abuse, whatever the outcome, the victim must be taken seriously. It is important for you to remain calm and in control and to reassure the victim that something will be done to keep him or her safe.

When a victim discloses they are being harmed, you can show your care and concern for the victim by:

- listening carefully;
- telling the victim you believe him/her;
- telling the victim it is not their fault and he/she is not responsible for the abuse;
- telling the victim you are pleased he/she told you.

You will not be helping the victim if you:

- make promises you cannot keep, such as promising that you will not tell anyone;
- push the victim into giving details of the abuse – your role is to listen to what the victim wants to tell you and not to conduct an investigation (beware of asking any leading questions as this may prejudice any subsequent investigation);
- indiscriminately discuss the circumstances of the victim with others not directly involved;

Try and obtain some details such as where the abuse is taking place (school, home, work, etc); is it currently occurring or did occur in the past, the name of the perpetrator if possible.

It is possible that some victims will make a disclosure and then ask you not to tell anyone. It is important you seek guidance from the CEO or relevant contact officer to discuss how the victim can be supported and the disclosure managed.

Other actions to take:

Protect the victim - Once an allegation is made there should be an immediate response that protects the victim from further potential abuse or victimisation. The victim may require medical assistance or counselling support. Where possible the victim should remain in the place of residence or relevant program. Exceptions may be made where the victim is deemed to be at risk of victimisation by peers because of the allegation or because the alleged abuse has occurred in home-based care. If the victim is in immediate danger, you should make arrangements for the victim to go to a safe place.

Distance the alleged perpetrator - The best interest of the victim may warrant the standing down of a staff member. The CEO should recommend the appropriate action in writing to the staff member. Any employee stood down in this manner continues to receive full pay - this measure recognises that the employee is entitled to a just process that does not pre-judge guilt or innocence. Any volunteers who are stood down will similarly receive any reasonable reimbursement of costs.

Confidentiality - All reports, the names of people involved, and the details will remain confidential. Only the CEO, Child Safeguard Focal Person, or other relevant contact officer and the people involved will be informed of the report. Details will be released on a "need to know" basis or, when required by relevant local or Australian law, or a notification to police or child protection authorities is made.

APPENDIX 3 - INCIDENT REPORT FORMIncident Report Form

1. Name(s) of person reporting	
Name:	Phone number:
Position:	Email:
2. Name of person receiving complaint	
Name:	Phone number:
Position:	Email:
Organization:	
3. Date and location report received	
Date and Time:	Location:
4. Description of incident	
Type of allegation (mark with a cross): sexual abuse/misconduct <input type="checkbox"/> physical abuse <input type="checkbox"/> psychological abuse <input type="checkbox"/> neglect <input type="checkbox"/> other <input type="checkbox"/> if other please describe: _____ _____ _____	Description of incident (including date, time and exact location of incident): Injuries observed/reported: Supporting documents:
Details of the Victim:	
Name and Surname: Date of Birth: Sex: Nationality: Address:	

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Phone nr:	
Details of person(s) against whom the allegation has been made	
Name and Surname: Date of birth: Sex: Address: Phone nr: Position:	
What (if any) immediate action followed the report ?	
Is the victim still in danger of further abuse? (describe)	
Has the incident been reported to any other authorities (police, local authorities)?	
If yes, which ones and what where their actions?	
Has the victim made any request for specific remedy? (specify)	
What and in what timeframe are further actions planed?	