

Reece Foundation Safeguarding Policy

1 Introduction

The Reece Foundation Safeguarding Policy sets out our commitment to protecting the safety, wellbeing and human rights of the children and vulnerable people we engage with or who are affected by our activities and work. We have zero tolerance for child abuse and exploitation and/or the abuse and exploitation of other vulnerable people. Additionally, we believe that all people, regardless of their age, gender, race, religious beliefs, disability, sexual orientation, family or social background, have equal rights to protection from abuse, neglect and exploitation.

This policy outlines the safeguarding principles and standards implemented across all governance and operational levels of the Reece Foundation and how we manage the risks of abuse or exploitation of children and vulnerable people, to support a positive and effective safe organisational culture. Safeguarding and maintaining a safe environment is a shared responsibility of the Reece Foundation and all people and organisations who interact with us.

As a registered charity operating both within and outside Australia and/or working with third parties that are operating outside Australia, we will take reasonable steps to ensure the safety of children and vulnerable persons outside Australia, specifically:

- (a) who are, and to the extent they are, being provided with services or accessing benefits from us under programs/projects provided by us or a third party in collaboration with us; or
- (b) who are, and to the extent they are, engaged by us or a third party in collaboration with us to provide services or benefits on behalf of us or the third party.¹

2 Scope / Persons Affected

This policy applies to:

- (a) all personnel (including Reece Foundation Board directors, employees, volunteers and consultants); and
- (b) all our partner organisations and, contractors and sub-contractors, and their personnel, involved in implementing grants, projects and programs or any other activities funded by us.
- (c) visitors to Reece Foundation activities or projects
- (d) Reece Group employees who are supporting Reece Foundation projects.

All Personnel and others as defined above are expected to comply with the requirements outlined in this policy and understand the sanctions that may be applied for policy breaches.

3 Our Commitment

- (a) By virtue of our model, Reece Foundation personnel hold a position of trust and authority when working in communities (both in Australia and overseas) and this should never be used to abuse or exploit another person.
- (b) Reece Foundation owes a duty of care to the partners we engage with and the communities in which we work, to ensure a safe environment is always maintained. Partners and communities should also feel confident that Reece Foundation activities and projects provide a risk-based approach to the

¹ ACNC, External Conduct Standard 4

management of safeguarding. We welcome feedback from our community partners on ways that we can improve our practice.

- (c) We will not tolerate exploitation and abuse in any way by anyone who works for or is associated with Reece Foundation and will not knowingly engage anyone who poses a risk to children or vulnerable people.
- (d) In all actions and decisions concerning children, the best interests of the child shall be a primary consideration.
- (e) We will take a survivor-centric approach in all that we do, meaning, we will consider and lawfully prioritise the needs, rights and wishes of survivors of harm or exploitation.
- (f) All Reece Foundation personnel have responsibility for protecting children and vulnerable people from harm or exploitation. Beyond this, particular people have specific responsibilities (see 4.3), and they must carry out their duties without exception.

4 Policy in Practice

4.1 What we mean in this policy

Safeguarding is defined as the policies, procedures and practices employed by Reece Foundation to safeguard all children and vulnerable people who come into contact with the Foundation's projects and activities. It involves everyone within Reece Foundation working together to prevent and respond to the risk of harm, abuse and exploitation of children and vulnerable people.

A child refers to anyone under the age of 18 years.

Vulnerable people refers to a person aged over 18 years and who themselves identify as unable to take care of themselves or protect themselves from harm or exploitation; or who, due to their gender, mental or physical health, disability, ethnicity, religious identity, sexual orientation, economic or social status, or as a result of disasters and conflicts, are deemed to be at risk.

For further definitions see Annexure 1.

4.2 Relevant Australian legislation and international conventions

- a) *Australian Charities and Not-for-profits Commission Act 2013* (Cth) and *Australian Charities and Not-for-profits Commission Regulations 2013* (Cth), in particular:
 - ACNC Governance Standard 3 (s 45.15 of the above Regulations)
 - ACNC External Conduct Standard 4 (s 50.35 of the above Regulations)
- b) United Nations Convention on the Rights of the Child, in particular, the promotion of children's right to life, survival, development, protection, participation and non-discrimination.
- c) *Privacy Act 1988* (Cth)
- d) Under Commonwealth law an Australian citizen or resident can be prosecuted for an offence committed against a child in another country under laws that have an extra-territorial application (see Annexure 2)
- e) When working or volunteering overseas, Reece Foundation personnel are required to abide by local legislation, including labour laws concerning child labour.

4.3 Responsibilities

While the responsibility to protect people is shared by all who work for or with the Reece Foundation, some individuals have specific obligations with which they must comply. The Reece Foundation Board and Leadership will actively employ strategies to embed an organisational culture of safety across our activities and projects.

Specifically:

- (a) The Reece Foundation **BOARD** is responsible for ensuring all personnel discharge their responsibilities under this policy including:
 - i. Ensuring that there are appropriate and effective ways for Reece Foundation to safeguard children and vulnerable people that we interact with or are affected by our work
 - ii. Regular reporting on:
 - the implementation and compliance with the Reece Foundation Safeguarding Policy standards and relevant laws,
 - safeguarding risks, reports and incidents included in the Reece Foundation risk register and risk management process
 - iii. Policy review processes and internal auditing especially in the instance of a breach of policy or notification of an incident
 - iv. Facilitating a safe organisational culture through demonstrating behaviours consistent with the Reece Foundation Code of Conduct.
- (b) The **Executive Director** must:
 - i. Ensure that the Reece Foundation manages safeguarding risks in the following manner:
 - (A) Wholistic: All personnel will work to prevent, detect and take action on incidents.
 - (B) Risk-based and proportionate: Relevant personnel will assess the safeguarding risks in our activities and work to develop proportionate controls to mitigate those risks, for example:
 - (1) up-to-date and documented risk assessment(s) for all projects / activities;
 - (2) action plans and/or incident response plans that set out how safeguarding will be managed and controls to reduce the likelihood and consequence of incidents;
 - (3) due diligence checks of organisations and personnel involved in our activities and work.
 - (4) Code of Conduct agreed and signed by all personnel and volunteers
 - (C) Survivor-centric: All personnel put survivors at the heart of our approach to safeguarding.
 - (D) Lawful: We will ensure understanding and compliance with the law in everything we do, in all jurisdictions in which we work.
 - (E) Efficacious: Reporting pathways which are uncomplicated and confidential (where required) are available for all personnel. Reports of harm or exploitation are managed appropriately and support is provided to all personnel in undertaking their responsibilities under this policy.
 - ii. Ensure that reasonable steps are taken to protect children and vulnerable people; and
 - iii. Ensure that reports to external parties (including regulators, protection agencies, police and/or other authorities) are made where required.

- (c) **Other Leadership roles** must:
- (i) Promote a positive culture towards safeguarding.
 - (ii) Implement this policy in their area of responsibility, including ensuring that all volunteers undertake the requisite Safeguarding training as part of pre-departure briefings.
 - (iii) Assume responsibilities for those matters and actions as determined by the Executive Director which may include assessing the safeguarding risks in their area of responsibility and developing proportionate controls to prevent, detect, mitigate and respond to those risks and incidents.
 - (iv) Facilitate the reporting of any suspected harm, abuse or exploitation; and
 - (v) Take a survivor-centric approach to potential incidents and ensure that any incident is dealt with transparently and accountably.
- (d) **All other personnel:** (including employees, volunteers and consultants) must:
- (i) Familiarise themselves and comply with all safeguarding requirements included in this policy and the Reece Foundation Code of Conduct.
 - (ii) Comply with all requirements
 - (iii) Report any incident to their manager or the Executive Director who may be required to make a report to the appropriate authority when it is reasonable to suspect that a person's safety or welfare is at risk; and
 - (iv) Contribute to an environment that is supportive of safeguarding.
- (e) **All partner organisations** must:
- (i) Implement the provisions of this policy and Reece Foundation's procedures in their dealings with us
 - (ii) Report any suspicion that an incident may have taken place, is taking place or could take place.

4.4 Expected behaviours

Given differing local contexts, Reece Foundation personnel may be faced with a range of unfamiliar social, cultural, financial or personal settings when working or volunteering overseas and/or in vulnerable communities within Australia. Communities trust that the people representing the Reece Foundation will always conduct themselves in a professional manner and not engage in behaviour contrary to the safety or wellbeing of the children and vulnerable people they come into contact with.

The Reece Foundation expects all personnel to act with integrity and professionalism at all times. It is strictly prohibited for Reece Foundation personnel and anyone representing the Reece Foundation to:

- Sexually exploit or abuse or sexually harass a child or adult
- Use their position of trust and authority to request any service or sexual favour from beneficiaries of Reece Foundation projects, adults, children, or others in the communities in which Reece Foundation works, in return for protection or assistance, or coerce a person to engage in sexual intercourse or any sexual activity
- Exchange or withhold from beneficiaries of Reece Foundation projects or activities - adults, children, or others in the communities in which Reece Foundation works - money, food, employment, goods, assistance or services for sex or sexual favours or other forms of humiliating, degrading or exploitative behaviour

- Use, Reece Foundation or partner organisation facilities, personnel or resources for the purpose of arranging or facilitating access to sex workers by any person, including visitors to Reece Foundation projects or partner offices
- Engage in sexual activity with a child under any circumstance. Even in a country where the age of majority or the age of consent is lower than 18 years, Reece Foundation personnel are forbidden to have sexual activity with anyone under the age of 18 years. A mistaken belief that the child is over 18 is no defence.

The Reece Foundation Code of Conduct also outlines expected behaviours for all personnel and forms part of this policy.

4.5 Partner organisations and contractors

We will provide a copy of this policy to partner organisations, sub-contractors, or those involved in implementing our activities and work, and require that their personnel comply with the requirements under this policy.

As part of our due diligence processes, we will conduct safeguarding due diligence on all partner organisations to assess the level of awareness and implementation of safeguarding standards as they relate to children and vulnerable people. In particular, the partner organisation's level of contact with children, factors that could compound the children's vulnerabilities and the nature of the activities will also be assessed before Reece Foundation commits to entering into partnership.

If the partner organisation has contact with children or works directly with children, Reece Foundation will require the partner organisation has a safeguarding or child protection policy of their own and that their policy complies with safeguarding standards set out in the Reece Foundation policy and procedure as a partnership requirement. Reece Foundation will not partner with organisations that work directly with children who do not have a compliant safeguarding or child protection policy.

Reece Foundation will include safeguarding clauses in all grant and collaboration agreements. These clauses will include:

- Reciprocal safeguarding reporting requirements
- Safe recruitment and screening processes for personnel in contact or working with children and vulnerable people
- Partner to sign the Reece Foundation Safeguarding Policy and Code of Conduct or attach a copy of the partner's safeguarding policy
- Where relevant, child rights business principles that address supply chains and Modern Slavery principles

The Reece Group Foundation Limited ABN 89 635 658 276

Reece Foundation Safeguarding Procedures

The Reece Foundation will take all reasonable steps to ensure all personnel, including volunteers do not pose a risk to children and vulnerable people. The following articulates procedures that Reece Foundation will undertake in the recruitment and ongoing management of personnel, including volunteers.

5 Safeguarding Recruitment and Screening

Reece Foundation is committed to preventing a person from working with children or vulnerable people if they pose an unacceptable risk to them. Where we are directly responsible for recruitment, we will consistently apply robust screening and recruitment procedures for all personnel including volunteers.

The Reece Foundation's safeguarding recruitment procedures include:

5.1 Interviews and reference checks

Behavioural based interview questions are used as standard in the recruitment of Reece Foundation employees and volunteers. This helps us to gauge the attitudes, motivations and values of prospective employees or volunteers in regards to children and vulnerable people and our commitment to protecting the rights of these groups.

Verbal reference checks are preferable and where this is not possible, written reference checks are conducted. Referee checks will include questions pertaining to an applicant or volunteer's suitability to either work with or be in contact with children and vulnerable people.

5.2 Criminal Record Checks

Criminal record checks must be obtained prior to engagement for all Reece Foundation personnel. Criminal record checks will be conducted for each country in which an individual has lived for 12 months or longer over the previous 10 years and for each of the individual's countries of citizenship. In countries where it is impossible to obtain a reliable criminal record check, a signed 'statutory declaration' will be provided that: outlines efforts made to obtain a foreign police check; discloses any charges and spent convictions related to child abuse/exploitation.

Criminal record checks for Reece Foundation Board directors and employees will be updated every 2 years.

The nature of negative or adverse findings will be reviewed on a case-by-case basis by the Executive Director and may include consultation with Reece Foundation board chair or others at the discretion of the Executive Director. Reece Foundation will not employ or engage a person, including a volunteer, if their criminal record check includes:

- Convictions or sentences of serious offences against a child or adult.
- Convictions or sentences of any sexual offences against a child or adult.
- Adverse findings related to violent offences against a child.
- Any child exploitation or abuse offence
- Stalking of a child

Reece Foundation will take all fair and reasonable steps as part of any assessment following an adverse finding from a criminal record check including whether the nature of the finding is in conflict with or affects the ability of the person in question to carry out their duties or responsibilities. We will abide by relevant Australian laws and legislation, ensuring any investigations following disclosure are undertaken in line with privacy, confidentiality, and anti-discriminatory legislation. We will not disclose negative or adverse findings related to volunteers to Reece Australia Ltd.

5.3 Employment contracts

All employment contracts will contain provisions for disciplinary action, including termination of employment or engagement, following a substantiated breach of the Reece Foundation Code of Conduct and/or the Safeguarding

Behaviours and Standards. These provisions ensure Reece Foundation may also suspend or transfer to other duties any employee who is under investigation for such a breach, determined on a case-by-case basis by the Executive Director and/or the Board chair (in the case where the Executive Director is the person in question).

5.4 Volunteer engagement agreements

All volunteer engagement agreements will contain provisions for the cessation of engagement, following a substantiated breach of the Reece Foundation Code of Conduct and/or the Safeguarding Behaviours and Standards. Reece Foundation may also suspend or transfer to other duties any volunteer who is under investigation for such a breach, determined on a case-by-case basis by the Executive Director in consultation with the Board chair.

5.5 Safeguarding Code of Conduct

All Reece Foundation personnel must adhere to and sign the Safeguarding Code of Conduct. A record of signed Codes of Conduct will be maintained within HR files for employees and within Salesforce for other personnel. The Code will be included in the package of information sent to all Reece Foundation volunteers. Each time a person volunteers with the Reece Foundation, they will need to sign the Code of Conduct. Employees and Board directors will be required to sign the Code of Conduct annually.

5.6 Positions involving contact with children

Reece Foundation will apply child safe recruitment and screening processes for all positions in contact or working with children including employees, consultants, and volunteers for deployment. It should be noted that positions involving overseas travel, carry with them a high probability of having contact with children. Due to the nature of the work environment, Reece Foundation volunteers will come into contact with children in the community and at sites such as schools, churches, community centres, or at skills training/capacity development sessions especially where parents may attend with children.

These recruitment procedures include:

- Criminal record checks before engagement and/or statutory declarations of local legal equivalent where criminal record checks are unavailable or unreliable.
- Verbal referee checks
- Behavioural-based interview questions for any personnel **working** directly with children

5.7 Working with Children Checks (WWCC)

All Reece Foundation personnel in paid positions must hold or obtain a full WWCC, not volunteer checks.

Volunteers will be required to hold or obtain a relevant state or territory based WWCC for all projects undertaken in Australia. In some states or territories, where there are specific compliance obligations for volunteers, the Reece Foundation will advise volunteers of what is required. Project risk assessments and consultation with partner organisations will determine if a WWCC is required for projects undertaken overseas.

WWCCs apply to all positions that involve direct work with children, including roles that have access to child-sensitive data, or any contact with children by letter, email, phone or social media. The responsibility lies with the person engaged in the position to provide evidence of having obtained a WWCC (relevant to their State/Territory) prior to their engagement and to maintain a valid WWCC throughout the period of their engagement. They must notify Reece Foundation when their WWCC is renewed, has lapsed, or been revoked.

Regarding Victorian WWCCs, the correct occupational field when applying for a check is field #40 – ‘Counselling or other support services for children’. For more information, refer to: <https://www.workingwithchildren.vic.gov.au/home/>.

6 Safeguarding Training and Awareness

All Reece Foundation employees, volunteers and Board directors must complete a safeguarding induction on engagement and regularly as scheduled.

All Reece Foundation personnel (incl accompanying family members of volunteers) or consultants undertaking overseas travel must attend a pre-departure briefing that includes safeguarding standards and obligations under this Policy. In particular, the briefing will provide participants with an understanding of how the Code of Conduct applies to interactions with children and vulnerable people in both their professional and personal time, use of children's images, expected behaviours and how to raise any concerns they have for the safety or wellbeing of a child or vulnerable person.

7 Safeguarding Risk Management

Reece Foundation will undertake specific child safeguarding risk assessments to reduce the risk of any child or adult being harmed as a result of its operations and activities.

Using the Safeguarding Risk Assessment Tool, a child safeguarding risk assessment will be conducted for all Reece Foundation projects, excluding the Reece Foundation Grants which will include due diligence of partners receiving grant funds.

Using the safeguarding risk assessment tool, staff will identify risks (including the level of contact with children and the nature of contact), classify high risk activities, and document steps being taken to reduce or mitigate these risks. Consultation with local partners is recommended to inform the risk assessment to ensure context is understood and local existing safeguarding mechanisms and risks specific to the country / community are incorporated. This principle applies for projects being delivered in Australia and overseas and supports the notion that local partners know their local communities best.

Safeguarding risk assessments should be undertaken at program design and implementation, at review and monitoring stages and at all reporting intervals to capture any changes or shifts against original design and to ensure risk mitigation plans are developed accordingly.

8 Safeguarding media and communications

Use of children's images, stories and video footage for Reece Foundation campaigns, publications, annual reports, fundraising, on the website and in social media posts must involve an assessment of risk to children and respect for children's rights. This includes the right of a child to privacy, dignity and safety and images must not show children in a naked and/or sexualised manner. Children's best interests and protection will be prioritised over opportunities for promotion and advocacy. The same assessment should be undertaken for the use of content related to other vulnerable people with the principles of dignity and safety being paramount.

Reece Foundation employees should collaborate with the Reece Group External Media Lead and/or Social Impact Lead to ensure the integrity of child-focused media, and the appropriateness of images before they are utilised in communications. Any images of children archived by Reece Foundation will be removed from the photo library after a period of 5 years, and all images will be archived by date of the image taken.

Reece Foundation volunteers will be advised in the pre-departure briefing that they should not post any images of children or vulnerable people they come into contact with during their deployment or in the course of their work, on their personal social media accounts or profile.

Reece Foundation personnel must be made aware of the Commonwealth Criminal Code Act extra-territorial offences involving child online sexual exploitation material or child abuse material outside Australia and how Australian citizens can be prosecuted for an offence committed against a child in another country under laws that have an extra-territorial application.

8.1 Informed Consent

Prior informed consent must be obtained for all images, stories and video footage used by Reece Foundation featuring children or vulnerable people. These consent forms must be scanned and stored in SharePoint. Reece Foundation volunteers must not take photos or videos of children for any purpose even if consent is being provided by the parent. This is to safeguard the rights and dignity of children.

Informed consent must be obtained from the child's parent/guardian and the child themselves (age appropriate) and documented.

When seeking informed consent it's important to ensure that:

- the person you're seeking informed consent from fully understands what they're consenting to
- you explain what you're seeking their consent for in a way that they can understand (think about life stage/age of child, capacity, disability, literacy etc)
- you take the time to allow for, and encourage, questions
- you check that they have understood what you've explained
- you make sure they understand that consent is voluntary and that they can also change their mind/withdraw later (this is especially important for children)
- you speak in a respectful and inclusive way
- you don't pressure them into providing consent
- you don't confuse or overwhelm them
- you show the child/parent or adult
- the final image/video for their approval (where possible)

The use of children's images for publication by Reece Foundation will only be considered if the following procedures are followed:

- Informed consent must be obtained from the child's parents/guardians and the child themselves where appropriate
- The adult, child and/or parents/guardians is aware they can withdraw consent at any time
- The adult, child and/or parents/guardians will not receive any monetary or in-kind payment for use of an image
- Approval must be obtained from Reece Foundation Executive Director who will sight the image and the content to ensure it meets the child's right to privacy, dignity and safety
- Identifying information cannot be used that would reveal a child's name, location, school, home, village or community
- The image must not contain any location information (geotagging etc)
- Images of children or vulnerable people must not be stored on the personal devices (ie mobile phone or tablet) of any Reece Foundation personnel. They must be stored on SharePoint or other approved secure location only.

8.2 External Media

All external media engaged by Reece Foundation will be provided with a media brief that outlines Reece Foundation's safeguarding expectations. All contracted photographers, videographers and interviewers must sign the Reece Foundation Safeguarding Code of Conduct.

8.3 IT Equipment

Reports concerning the use of Reece Foundation computers, mobile phones or IT equipment for the purposes of online grooming or to download or the transmit child exploitation material should be raised directly to the Executive Director or Board Chair or using the child safeguarding reporting process outlined in this Policy.

9 Safeguarding Reporting Procedures

Reece Foundation provides safe and supportive mechanisms to report incidences of abuse and exploitation and breaches of this Policy.

Reece Foundation will actively respond to reports of abuse or exploitation and maintain an organisational culture that prioritises safeguarding so that it is safe for those affected to come forward and report incidents and concerns with the assurance they will be handled sensitively and appropriately.

Reece Foundation Board and Leadership will ensure all reports are taken seriously. Reports will be managed in a professional and timely manner with protection provided for all parties involved in the report. Notifiers will be treated fairly, and the confidentiality of those involved will be maintained except where consent is given, or Reece Foundation is required to disclose details under its legal obligations. The principles of natural justice will apply to all investigations.

Reece Foundation will adopt a survivor-centred approach in preventing and responding to abuse and exploitation. We will ensure that all responses are developed in a manner that balances respect for due process with a survivor-centred approach in which the survivor's wishes, safety and wellbeing remain a priority in all matters and procedures. Furthermore, all actions taken should be guided by respect for choices, wishes, rights and dignity of the survivor including what is in the best interest of any child involved.²

9.1 9.1 Reporting Process

Reece Foundation personnel must immediately report any concerns, suspicions or allegations of abuse or exploitation or breach of this Policy or the Safeguarding Standards and Behaviours by Reece Foundation personnel or partner organisation personnel to any of the people listed below.

If personnel believe that a child or adult is at risk of immediate harm or the victim of a criminal offence, they must dial 000 (in Australia) or the emergency telephone number used in the relevant location if it is not Australia and also report their belief to the Executive Director.

A safeguarding report can be made to one of the following people:

- any Reece Foundation Board director (contact@reecegroupfoundation.org)
- Reece Foundation Executive Director - +61 409 133 289 or ipsita.wright@reecegroupfoundation.org
- Anonymously via YourCall (Whistleblower provider) on Phone +61 1300 790 228 (Mon-Fri 9am -12am AEST) or online (24/7) www.yourcall.com.au/report. Quote Reece Group's ID PIPE1234.

9.2 External reporting

Reece Foundation will:

- i. Report any suspicion of a criminal offence to the police or the relevant criminal judicial body
- ii. Meet any donor requirements regarding the reporting of incidents
- iii. Report any qualifying matter to the ACNC.

9.3 Community based reporting mechanisms

Children and members of the general public and overseas communities may also report. Members of the community in which Reece Foundation projects and activities operate must be informed of Reece Foundation's commitment to safeguarding, expected behaviours of staff and volunteers and how to raise a concern with Reece Foundation.

9.4 Report management and investigation

All safeguarding reports will be documented, investigated and responded to. Following an assessment of the report information, an outline of specific actions will be developed. Actions may include:

- HR performance management - Internal performance management and/or disciplinary proceedings for a confirmed breach of the Reece Foundation Safeguarding Policy or Code of Conduct including standing down a person during investigation, suspension or termination of employment or volunteer deployment.
- Investigation - Formal internal investigation or engagement of an independent external reviewer (with child safeguarding/protection expertise)
- Formal warning, transfer to other duties or suspension pending investigation
- Report to local authorities and/or police - Reporting to the relevant authorities and police within Australia (state based or AFP) and/or overseas (local police or Interpol) or the Virtual Global Taskforce for online material (<https://www.afp.gov.au/what-we-do/crime-types/child-protection/virtual-global-taskforce>)
- Dismissal – may occur following confirmed breach of policy and/or criminal proceedings

² IASC Statement on PSEA (2015)

- Suspension or termination of an organisation's partnership with Reece Foundation
- Where possible, monitoring that the safety and psychosocial needs of the child have been met.

No action will be taken against any person who informs Reece Foundation in good faith of incidents and risks. However, those who wilfully inform Reece Foundation using false information will be subject to investigation and possible consequences as per disciplinary procedures.

For reports made to Reece Foundation, where the subject of concern (alleged perpetrator) is a person external to our organisation, the appropriate referral will be made. This may include reporting to local police, statutory body or government agency, local children's or women's service, community-based child protection organisation or a child focused INGO.

10 Ownership of Policy

The Reece Foundation Board owns this policy. This means that:

- (a) The Board will be provided with regular reports (but in any event no less than two (2) reports in each calendar year) by the Executive Director about compliance with this policy. Where any compliance issue is identified, our Board will be provided with and consider details of the issue and work with the Executive Director to ensure that the issue is addressed appropriately and promptly.
- (b) If any exception or departure from this policy is proposed, the Executive Director, must be informed and the Executive Director will seek Board's prior approval to the exception or departure. No action will be taken (or inaction allowed) until the Board has made its decision on the proposed exception or departure.

11 Related policies

- Privacy Policy
- Code of Conduct
- Safeguarding Standards and Behaviours
- Whistleblower Policy

12 Monitoring and Review of Policy

- The Board is responsible for reviewing this policy regularly (minimum every two years).
- Any updates and revisions to this policy must be approved by the Board.

Revision History

	Approved by:	Date:
Approval and adoption of policy	Reece Foundation Board	25 July 2023
Review of policy to ensure alignment with best practice and current legislation	Reece Foundation Board	28 August 2025

Annexure 1 – Definitions

Safeguarding - the policies, procedures and practices employed by Reece Foundation to safeguard all children and vulnerable people who come into contact with the Foundation's programs and activities. It involves everyone within Reece Foundation working together to prevent and respond to the risk of harm, abuse and exploitation of children and vulnerable people.

Children and Young People - defined as anyone under 18 years of age (in line with the United Nations Convention on the Rights of the Child) irrespective of local country definitions of when a child reaches adulthood.

Vulnerable person - those aged over 18 years and who identify themselves as unable to take care of themselves and/or protect themselves from harm or exploitation; or who, due to their gender, mental or physical health, disability, ethnicity, religious identity, sexual orientation, economic or social status, or as a result of disasters and conflicts, are deemed to be at risk.

Child abuse - involves the abuse of children's rights and includes all forms of violence against them:

- **Physical abuse** - includes shoving, hitting, slapping, shaking, throwing, punching, kicking, biting, burning, strangling and poisoning. Other examples may consist of actions that can cause physical damage, such as withholding medication, food or water, or confinement of a child. This abuse may be intentional, an indirect consequence of physical punishment or aggression, or may arise from neglect where the child is exposed to physically dangerous and life-threatening situations.
- **Sexual abuse** - is the exposure to or involvement of a child in any sexual activity by an adult (or another child). Sexual abuse can also include the engagement of a child in sexual activity by another child, who by the nature or their age of development has greater power. Sexual abuse includes but is not limited to: 'fondling genitals, masturbation, oral sex, vaginal or anal penetration by a penis, finger or any other object, fondling of breasts, voyeurism, exhibitionism and exposing a child to online child sexual exploitation material or pornography'.
- **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. It may include a repeated rejection or belittling of a child or the making of threats, which has the intent to scare and frighten. It can also result from excessive demands that place expectations on a child beyond their capacity or by witnessing forms of violence, including domestic violence.
- **Neglect** - means the failure by a parent or caregiver or by organisations and service providers to provide a child with the culturally accepted and necessary conditions for their physical and emotional development and well-being. In a disaster or emergency context, the risk of this form of abuse can occur when someone uses their position to withhold assistance to gain favours or advantage. Neglect can also happen in emergency or development contexts when lack of time or conflicting priorities can lead to not taking children into account when planning project activities.
- **Child Labour** - is defined as 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 often interferes with their education and recreation. In its most extreme forms, child labour includes slavery, trafficking, sexual exploitation and hazardous work that put children at risk of death, injury or disease.
- **Child Trafficking** - relates to any role in the recruitment, transportation or receipt of children for the purpose of exploitation, by means of threat, force or other forms of coercion.

Grooming - concerns predatory conduct, and often a pattern of offending behaviour, undertaken to prepare a child for sexual activity at a later time. Grooming behaviour is where an adult communicates by words or conduct, with a child or with a person who has care, supervision or authority for the child (parent/guardian/program staff) with the intention of facilitating the child's involvement in sexual conduct, either with the groomer or another adult.

Examples of grooming behaviour include:

- Inappropriately extending a relationship outside of a work or organisational role
- Giving gifts or special attention to a child, young person or parent/carer
- Testing personal boundaries such as encouraging inappropriate physical contact
- Isolating the child from his or her peers and those who have care or supervision of the child

Online Grooming - sending electronic messages to children, with the intention of getting children 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 is a child.

Children can be groomed online through:

- Social media networks
- Text messages and messaging apps
- Email
- Text, voice and video chats in forums, games and apps.

Exploitation - any forms of physical and mental abuse, exploitation, coercion or ill-treatment, for example:

- sexual harassment, bullying or abuse
- sexual criminal offences and serious sexual criminal offences
- threats of, or actual violence, verbal, emotional or social abuse
- cultural or identity abuse, such as racial, sexual or gender-based discrimination or hate crime
- coercion and exploitation
- abuse of power
- any relationship that involves, or appears to involve, partiality, preferential treatment or improper use of rank or position including but not limited to voluntary sexual behaviour

Child Exploitation includes:

- forcing or coercing another person to commit an act or acts of abuse against a child
- possessing, controlling, producing, obtaining or transmitting child exploitation material, including the consumption of social media or online forums for sexual purposes, and the sending or soliciting of messages or images of a sexual nature
- forcing or coercing another person to commit an act or acts of grooming or online grooming
- using a child for profit, labour, sexual gratification, or other personal or financial advantage
- modern slavery and the trafficking or recruitment of children into armed conflict

Sexual abuse - means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. This includes rape and sexual assault, including attempted or threatened rape and sexual assault.

Sexual activity with minors (under 18) - is considered both sexual abuse and sexual exploitation, and is prohibited regardless of the locally recognised age of majority or consent. Mistaken belief in the age of a child is not a defence.

Sexual exploitation - means any abuse, or attempted abuse, of a position of vulnerability, differential power, or trust for sexual purposes. This can include the exchange of money, a promise of employment, goods or services, as well as the threat of other negative repercussions, such as the withholding of assistance.

Transactional sex - the exchange of money, employment, goods, services or other benefit for sex, including sexual favours. Transactional sex includes multiple forms of behaviours and usually involves exploitation where one person is using their position of power to gain something for sexual purposes, from another person's more vulnerable position.

Contact with children - 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.

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 works.

Annexure 2 – Australian Commonwealth legislation and international conventions

Commonwealth legislation³

Criminal Code Act 1995		
Legislation	Examples of offences	Maximum penalty
<i>Division 272 (child sex offences outside Australia)</i>	Engaging in sexual intercourse outside of Australia with a child under 16 years of age	20 years imprisonment
	Engaging in sexual activity outside of Australia with a child under 16 years of age	15 years imprisonment
	Engaging in sexual intercourse or sexual activity outside of Australia with a child under 16 years of age and the child has a mental impairment or is under the care, supervision or authority of the defendant	25 years imprisonment
	Engaging in sexual intercourse outside of Australia with a young person aged 16 or 17 years and the defendant is in a position of trust or authority	10 years imprisonment
	Engaging in sexual activity outside of Australia with a young person aged 16 or 17 years and the defendant is in a position of trust or authority	7 years imprisonment
	Grooming a child under 16 years of age to engage in sexual activity outside of Australia	12 years imprisonment
<i>Division 273 (offences involving child pornography material or child abuse material outside Australia)</i>	Possessing, controlling, producing, distributing or obtaining child pornography or child abuse material outside Australia	15 years imprisonment
<i>Division 474 (telecommunications offences, subdivision C)</i>	Accessing, soliciting or transmitting child pornography or child abuse material using a carriage service	15 years imprisonment
	Engaging in sexual activity with a child under 16 years of age using a carriage service	15 years imprisonment
	Online grooming of a child under 16 years of age	15 years imprisonment
Crimes Act 1914		
<i>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 (under Part 1AD).</i>		

³ DFAT Child Protection Policy p.18

International child protection instruments that Australia is a signatory to⁴

Instrument	Source
The United Nations Convention on the Rights of the Child	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	www.unhcr.org/refworld/docid/50b353232.html
Optional Protocol to the United Nations Convention on the Rights of the Child on the involvement of children in armed conflict	www.unhcr.org/refworld/docid/47dfb180.html
Geneva Declaration of the Rights of the Child	www.un-documents.net/gdrc1924.htm
International Labour Organization Convention 182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour	www.ilo.org/ilolex/english/convdisp1.htm

⁴ DFAT Child Protection Policy, p.20