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| AAHYA Safeguarding Policy  |
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1.
2. Purpose

The Afghan Australian Hassanian Youth Association (**AAHYA**) is committed to ensuring that it conducts its activities in a safe and respectful manner which prevents harm and avoids negative impacts on the health and safety of all people, particularly children, vulnerable adults and disadvantaged groups.

As an organisation that works with children and vulnerable adults, AAHYA acknowledges that it has a responsibility to protect those individuals. This policy sets out AAHYA’s commitment to the prevention of sexual exploitation, abuse and harassment of all persons and the protection of children.

Overall the policy aims to protect the people and children we interact with by outlining systems and mechanisms for awareness raising, prevention, reporting and responding to safeguarding concerns. This policy is also in place to protect AAHYA’s personnel and other stakeholders by providing clear behavioural protocols and expectations.

1. Scope

This policy applies to:

* all members of AAHYA’s Committee of Management (**Committee**), employees, volunteers, contractors and consultants (**personnel**);
* AAHYA’s **partners**, which for the purposes of this policy means any organisation receiving AAHYA funding in Australia or overseas to deliver our services or implement development activities;
* visitors to AAHYA’s programs; and
* any other individuals or groups that have been brought into contact with the people who benefit from our services (our **beneficiaries**), including children, while working with and/or supporting AAHYA.

AAHYA expects all of its personnel, partners and visitors to comply with this policy and in particular to take action to report safeguarding concerns in accordance with the Reporting Procedure set out at Part D.

It is the responsibility of the Committee to ensure this policy and related procedures are implemented and enforced.

1. Review

This policy will be reviewed every five years by the President and then will be approved by the Committee.

1. Safeguarding commitments and standards of behaviour
2. Our safeguarding commitment
	1. Commitment to child protection

AAHYA is committed to the safety and wellbeing of all children. AAHYA will aim at all times to ensure that all children with whom we work (both here in Australia and overseas) are provided a child safe environment at all times.

* 1. Commitment to preventing sexual exploitation, abuse and harassment

AAHYA is committed to preventing sexual exploitation, abuse and harassment. AAHYA will aim at all times to ensure that its stakeholders demonstrate their organisational commitment to the prevention of sexual exploitation and abuse, through a survivor-centred approach.

1. Guiding principles

This policy is guided by the following principles:

* + 1. Any form of exploitation, sexual exploitation, abuse and harassment of any person, including children, is unacceptable and will not be tolerated.
		2. Safeguarding is everyone’s responsibility. AAHYA is committed to building capacity in its personnel and partners to deal sensitively and effectively with any exploitation, sexual exploitation, abuse or harassment of any person, including children, that occurs in the course of our work.
		3. AAHYA believes that all individuals, including children, should be equally protected regardless of their gender, nationality, religious or political beliefs, age, sexual orientation, family and social background and culture, economic status, physical or mental health and criminal background. AAHYA recognises that it has a duty of care to take steps to address gender inequality and other power imbalances that increase the risk of sexual exploitation, abuse and harassment occurring.
		4. AAHYA endeavours to make all decisions regarding the welfare and protection of children in accordance with the principle of acting in the best interests of the child.
		5. Action to address exploitation, sexual exploitation, abuse or harassment of adults or children will be underpinned by a “do no harm” approach that prioritises the rights, needs and wishes of the victim/survivor. AAHYA aims at all times to treat the victim/survivor with dignity and respect, to involve the victim/survivor in decisions about them and keep the victim/survivor informed. AAHYA aims to address complaints in a manner that ensures procedural fairness to all parties.
		6. AAHYA aims to be accountable and transparent in all aspects of its safeguarding activities and respond actively and appropriately to any safeguarding concerns. It is mandatory for all our personnel, visitors and partners to report any breach of this policy including any witnessed, suspected or alleged incidents of exploitation, sexual exploitation, abuse or harassment of an adult or child.
		7. Where possible, our beneficiaries, including children, should be given opportunities to express their views on matters affecting them.
1. AAHYA’s Code of Conduct

AAHYA’s personnel, visitors and partners are responsible for maintaining a professional role with all individuals, including children, they interact with when working with AAHYA, which means establishing and maintaining clear professional boundaries that serve to protect everyone from misunderstandings or a violation of the professional relationship.

AAHYA’s Code of Conduct includes behavioural standards relating to the protection of children and adults. All individuals subject to this policy are required to read, sign and adhere to AAHYA’s Code of Conduct. The behavioural standards relating to the protection of children and adults forming part of AAHYA’s Code of Conduct are set out in Annexure A.

Failure to comply with these standards is grounds for disciplinary action, may be considered as gross misconduct and may result in termination. Conduct that is criminal will be reported to the relevant authorities, both in Australia and other countries where AAHYA works, where it is safe to do so and in accordance with the law and wishes of the victim/survivor.

See Part D for more information on how to make a complaint and how complaints will be managed.

1. Policies and procedures
2. Safeguarding risk management

AAHYA aims to ensure no harm, including abuse or exploitation of children or sexual exploitation, abuse or harassment, takes place during delivery of our programs and activities. AAHYA actively assesses and manages these risks in order to reduce the risk of harm. We do this by:

* Undertaking thorough risk assessments before commencing activities and programs, which including consideration of safeguarding issues and risks.

AAHYA endeavours, through its risk assessment process, to document the controls already in place or to be implemented to reduce or manage risks. Activities that involve direct work with children are considered to be higher risk, and therefore AAHYA aims wherever possible to impose more stringent child safeguarding procedures for those activities.

* Regularly examining the effectiveness of our activities and programs on an ongoing basis to ensure risks are monitored and emerging risks are identified.
* Carrying out due diligence of our partners to ensure they have appropriate policies and procedures in place to manage safeguarding risks and have complaints mechanisms through which any concerns can be reported and acted upon.
1. Recruitment and selection

AAHYA is committed to ensuring that its recruitment and screening processes for engaging new personnel are robust. AAHYA will not knowingly engage anyone who poses a risk to children or vulnerable adults.

For recruitment of personnel to roles involving contact with or working with children or vulnerable adults, AAHYA aims to ensure that:

* Job descriptions and advertisements promote AAHYA’s commitment to safeguarding and include details of screening requirements for the position (eg, criminal record checks).
* An application or resume is required for all applicants, including information regarding the applicant’s previous employment, education and experience.
* AAHYA will undertake criminal record checks for preferred candidates before engagement. Where the candidate will be working directly with children or will have contact with children or vulnerable people in Australia, they must undergo a Working With Children/ Working With Vulnerable People Check (as applicable).
	+ Criminal record checks will be undertaken for all countries of citizenship and for each country in which the individual has lived for 12 months or longer over the past 5 years.
	+ If a criminal record check is unavailable or unreliable for a particular country, the candidate must provide a statutory declaration (or local legal equivalent) that discloses any charges, convictions and spent convictions related to child abuse and exploitation.
* Interviews with candidates who will be working directly with children or will have contact with children will include a child safety screening component which will explore the candidate’s motivations for and experience working with children.
* AAHYA will conduct at least two verbal referee checks for all preferred candidates.
* All new personnel will be required to sign and adhere to AAHYA’s Code on Conduct at the commencement of their employment or engagement.
* Ongoing supervision of all personnel. We will take action in connection with any concerns relating to a person’s behaviour or action (including possible breaches of our Code of Conduct).
1. Working with partners

AAHYA’s partners are required to comply with this Safeguarding Policy and our Code of Conduct or to have equivalent policies and procedures in place. This obligation is reflected in all partnership agreements and contracts.

1. Communication and use of children’s images

AAHYA aims at all times to ensure that:

* Children are portrayed in a dignified, respectful, appropriate and consensual way and that images are honest representations of the context and facts.
* Local traditions and restrictions are respected and adhered to when taking photos or videos of children.
* Children are not be depicted in a vulnerable or submissive manner. They should be adequately clothed and not appear in poses that could be seen as sexually suggestive.
* When taking photos or videos of a child, at a minimum informed verbal consent will be obtained from a parent or guardian. When asking for consent, we will explain how the photo or video will be used.
* All images and information about children will be used only for the purposes approved by a parent or guardian of the relevant child at the time the images or information was collected. Images and information that is not agreed to be made public (for example, on our website) will be stored safely and will only be accessed by authorised personnel.
* Photo or video data (such as file labels, metadata or text descriptions) will be reviewed before being published or shared to ensure it does not reveal information about a child that could identify them, such as their full name or the name of their school.
* Professional photographers will be screened for their suitability, including undergoing police checks, and will only be engaged if they agree to abide by this Safeguarding Policy.
1. Involvement and participation

AAHYA is committed to involving its beneficiaries, including children, in matters that affect them. We will do this by providing opportunities for beneficiaries’ views to be heard and incorporate those views into our policies and programs.

Children will be informed about the AAHYA safeguarding reporting process and who to contact if they are at risk, have been abused or are concerned about another child.

1. Training and awareness

AAHYA aims to promote practices which keep adults and children safe when they engage with AAHYA and in their own community. One of the ways we may do this is by providing information about the prevention of sexual exploitation, abuse and harassment to the communities in which we work. This information will include details about how to report safeguarding concerns relating to AAHYA personnel or any of our partners, including suspected incidents of child abuse or exploitation, sexual exploitation, abuse or harassment.

This Policy will be used in training and induction programs and made available on our website. AAHYA personnel and partners will be supported to undertake regular training on the prevention of exploitation, sexual exploitation, abuse and harassment. Personnel with specialist child safeguarding responsibilities will be supported to attend child safeguarding training to stay informed of current practice.

1. Safeguarding Reporting Procedures
2. Responsibility to report

AAHYA personnel, partners, visitors and anyone else subject to this Policy (see Scope in paragraph 2 of Part A) are required to report:

* + 1. any alleged, witnessed or suspected incidents of harm to a child, including child abuse or exploitation;
		2. any alleged, witnessed or suspected incidents of harm to an adult, including sexual exploitation, abuse or harassment; and
		3. any other suspected non-compliance with this Safeguarding Policy.

AAHYA will take all such reports seriously and will act on these reports promptly. AAHYA aims to ensure that its reporting process is truthful, fair and professional.

Reports can also be made by AAHYA’s beneficiaries, members of the communities in which we work and by any other third party that has witnessed or has concerns about a suspected or alleged incident of exploitation, sexual exploitation, abuse or harassment in connection with our activities.

Those making a report may refer to AAHYA’s Whistleblowing Policy for information about making confidential reports. AAHYA’s Whistleblowing Policy is published at **[insert link]**.

1. Reporting procedure

The procedure to be followed when reporting suspected safeguarding concerns is as follows:

* + 1. In all situations first make sure the child or adult is safe. Arrange medical attention as needed.
		2. Any AAHYA personnel, visitors or partners that become aware of or suspect harm to a child or adult in connection with the activities of AAHYA or otherwise while at work must immediately and within 24 hours notify the President or Vice-President of AAHYA.
		3. Reports by AAHYA personnel, partners or visitors should be made using the incident reporting form set out in Annexure B. If a report is made verbally, the person receiving the report should immediately record the details of the report using the incident reporting form.
		4. The President or Vice-President will consider the nature of the incident, and decide on the next steps, including any further action needed to ensure the safety and wellbeing of the child or adult and their wishes, and calling in advice from relevant staff members or externally if required. If deemed necessary an investigation will be undertaken. The President and Vice-President may, if appropriate, confer with each other on a complaint.
		5. The President or Vice-President will report to the Committee about the alleged incident and the outcome of any investigation. This report should, wherever possible, not identify the victim/survivor, consistent with a survivor-centred approach.
		6. AAHYA will comply with mandatory reporting requirements in the jurisdictions in which we operate, including making reports to local police, the Australian Federal Police and/or child protection authorities, as required. More information about reporting to authorities is set out in paragraph 16.
		7. Support will be offered to complainants and victims/survivors. This may include medical, social, legal and financial assistance, or referrals to such services.
		8. Support will be provided to all stakeholders (including the person making the report) as necessary, in accordance with AAHYA’s Whistleblowing Policy.
1. Responding to disclosure by a child

If AAHYA personnel are approached by a child to disclose harm they should:

* + 1. Take the allegation seriously, regardless of the outcome.
		2. Listen carefully and reassure the child that they are believed. The child should be allowed to speak freely. AAHYA personnel should not ask probing or leading questions or push the child to disclose details of the incident. The role of AAHYA personnel is to listen.
		3. Tell the child they have done the right thing by telling the personnel.
		4. Explain to the child that the personnel will need to tell someone. AAHYA personnel must not promise that they will not tell anyone. AAHYA personnel should explain to the child what they will do next and that the child will be told what happens.
		5. Carefully record the details of the allegation, using the reporting form in Annexure B if possible. Include as much detail about the alleged incident(s) as possible. Where possible, use the child’s own words exactly as spoken.
		6. Keep the details of the discussion confidential. AAHYA personnel must not discuss it with anyone other than the President, Vice-President, police or child protection authorities.
1. Reporting to authorities
	1. Suspected incidents involving children in Australia

Some AAHYA personnel or partners may be mandatory reporters under Australian mandatory reporting laws. The laws differ in each of Australia’s states and territories. The information provided in this paragraph 16.1 is for New South Wales.[[1]](#footnote-1) Child abuse or exploitation incidents that occur in other states and territories should be reported to the state police or child protection authorities in the relevant state or territory in accordance with the law in that state or territory.

If there are reasonable grounds to suspect that a child may be at risk, the President or Vice-President will report the matter to relevant child protection authorities. The President or Vice-President will determine whether a report is required to be made, having regard to the Mandatory Reporter Guide[[2]](#footnote-2) (**MRG**). Where the MRG indicates a report is required to be made, the incident must be reported online via the MRG or to the Child Protection Helpline on 132 111 or state police.

If concerns about people engaging in child sex tourism, child sex trafficking and child pornography arise, Australian Federal Police should be contacted via this website https://forms.afp.gov.au/online\_forms/human\_trafficking\_form or via phone on: 131 237.

If AAHYA personnel think a child is in immediate danger or requires emergency medical attention, they must phone ‘000’ immediately.

* 1. Suspected incidents involving children outside Australia

If an allegation or suspected incident of child abuse or exploitation occurs in another country, AAHYA should report the incident to the relevant police and child protection authorities in the country concerned where it is safe to do so and in accordance with the laws of that country. If the allegation involves an Australian citizen or permanent resident, the allegation will be also be reported to the Australian Federal Police.

* 1. Suspected incidents involving adults

Exploitation, abuse or harassment of adults that is criminal should be reported to the relevant authorities, both in Australia and other countries where AAHYA works, where it is safe to do so and is in accordance with the wishes of the victim/survivor.

1. Confidentiality

Confidentiality is a key principle of reporting and managing safeguarding concerns. All information regarding a safeguarding concern must only be shared with the President, Vice-President or another member of AAHYA’s Committee. The names of people involved and the details of the report will remain confidential. Information will only be released on a “need to know” basis or when required by Australian or overseas law or when a report to police or child protection authorities is made.

1. Disciplinary action

Disciplinary action will be taken against any personnel found to:

* + 1. have failed to report a child protection concern;
		2. have intentionally made a false allegation;
		3. have made a serious breach of this Policy (minor breaches may result in action such as refresher training or increased supervision).

Disciplinary action may include the following sanctions:

* + 1. AAHYA personnel – disciplinary action/dismissal.
		2. AAHYA partners – up to and including termination of all relations including contractual and partnership agreements with AAHYA.
		3. Where conduct is criminal AAHYA will report it to the relevant authorities in accordance with this Policy.
1. Glossary
2. In this Policy:
3. **child** means a person under the age of 18 years.
4. **child abuse** can happen to male and female children of all ages, ethnicity and social backgrounds, abilities, sexual orientation, religious beliefs and political persuasion. Child abuse includes physical abuse, sexual abuse, emotional abuse, neglect, bullying, child labour and family violence. Abuse can be inflicted on a child by both men and women, as well as by young people themselves and in some cases; professionals and other adults working with children in a position of trust also abuse children.
5. **child protection** is the term used to describe the responsibilities and activities undertaken to prevent or stop children being abused or maltreated.
6. **emotional abuse** occurs when a child is repeatedly rejected or frightened by threats. This may involve name calling, being put down or continual coldness from parent or care giver; to the extent that it affects the child’s physical and emotional growth.
7. **exploitation** of a child refers to the use of the child in work or other activities for the benefit of others that are to the detriment of the child’s physical and mental health, education, or moral and social-emotional development. It includes, but is not limited to, child labour, child trafficking and child sexual exploitation.
8. **neglect** of a child means the persistent failure or the deliberate denial to provide a child with clean water, food, shelter, sanitation or supervision or care to the extent that the child’s health and development are placed at risk.
9. **physical abuse** of a child occurs when a person purposefully injures or threatens to injure a child. This may take the form of slapping, punching, shaking, kicking, burning, shoving or grabbing. The injury may take the form of bruises, cuts, burns or fractures.
10. **safeguarding** means the actions, policies and procedures that create and maintain protective environments to protect people, whether adult or child, from exploitation, harm and abuse of all kinds.
11. **sexual abuse** of a child occurs when a child is used by an older or bigger child, adolescent or adult for his or her own sexual stimulation or gratification - regardless of the age of majority or age of consent locally.
12. **sexual abuse** of an adult means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.
13. **sexual exploitation** of an adult means any actual or attempted abuse of a position of vulnerability, differential power, or trust for sexual purposes. It includes profiting monetarily, socially, or politically from sexual exploitation of another.
14. **sexual harassment** means the unwanted physical, verbal or non-verbal conduct of a sexual nature that can include indecent remarks or sexual demands.
15. **vulnerable adults** are individuals aged 18 years and over who are at greater risk of significant harm due to factors such as gender, age, mental or physical health, or as a result of poverty, inequity or experience of displacement or crisis.
16. Updates to this policy

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| Version | Date | Approved by | Summary of changes |
| Version 1.0 | February 2021 | the Committee | Original publication. |
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1. Safeguarding Code of Conduct

**I will protect children and adults**

* If I am a member of the Committee or personnel:
* I will support AAHYA beneficiaries, including children, to participate in the decisions that affect them.
* If I am a manager, I acknowledge that I am responsible for supporting and developing AAHYA’s culture and systems that maintain a safe environment. I will take all reasonable steps that I can to maintain an environment in which beneficiaries, personnel, partners and other third parties know expected behaviours and how to raise complaints and concerns.
* Whenever possible, I will ensure that another adult is present when working near children.
* I will treat everyone, especially children and vulnerable adults, with courtesy and respect.
* I will provide a welcoming, inclusive and safe environment for all children and adults.
* I will act as a positive role model for children.
* I will encourage open communication between children, parents and AAHYA’s personnel and partners.
* I will self-assess my behaviours, actions, language and relationships with children and adults. I will not condone, or participate in, behaviour that is illegal, unsafe or abusive.
* I will not engage in behaviour that is intended to shame, humiliate, belittle or degrade.
* I will not speak or act in a way that is inappropriate, harassing, abusive, sexually provocative, discriminatory, demeaning or culturally inappropriate.
* I will not do things of a personal nature that a child can do for him or herself, such as assisting with toileting or changing clothes.
* I will not use physical punishment, or threats of physical punishment.
* I will not give alcohol, cigarettes or illegal drugs to children.
* I will not act in any way that may be deemed exploitative or abusive. I understand this includes giving gifts, paying extra attention to a child or vulnerable adult, developing any sexual relationship of any nature whatsoever with a child, vulnerable adult or any beneficiary or engaging in any form of transactional sex with any other person. Transactional sex includes any form of sexual activity in exchange for goods or services, money, employment or preferential treatment.
* I will not hold, kiss, cuddle or touch a child in an inappropriate, unnecessary or culturally insensitive way.
* I will 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.
* I will not seek to make contact with and spend time with a child or vulnerable adult who I have made contact with through AAHYA outside of my work for, or engagement with, AAHYA.
* I will not invite unaccompanied children who I have made contact with through AAHYA into my home, vehicle or other private location, unless they are at immediate risk of injury or in physical danger.
* I will not engage in the trafficking of human beings, in any form.
* I will not place myself in any position or take any action where there is a risk of allegations of any breach of this Code of Conduct being made.
* I will comply with all Australian and overseas child protection and safeguarding legislation, including labour laws in relation to child labour.
* I have read and understood AAHYA’s Safeguarding Policy. I will immediately report to the Committee of AAHYA any concerns of sexual exploitation, abuse or harassment of an adult or child in accordance with AAHYA’s Safeguarding Policy.
* I will immediately disclose to the Committee of AAHYA all charges, convictions and other outcomes of an offence that relates to child exploitation and abuse, including those under traditional law, relating to me which occurred before or during my association with AAHYA.
* I will use technology appropriately and responsibly. I will not use any technology (such as computers, mobile phones, cameras or social media) to exploit or harass a child or adult.
* I will not access exploitative material, such as child pornography, in any way.
* I will consult with the President or Vice-President of AAHYA if I have any questions regarding the protection of children and vulnerable adults and how it relates to my work or relationship with AAHYA.

When taking or using photos or videos of children:

* I will respect and adhere to local traditions and restrictions when taking photos or videos of children.
* I will obtain informed consent from the child’s parent or guardian before taking a photo or video. I will explain how the photo or video will be used.
* I will ensure photos and videos present children in a dignified and respectful manner and not in a vulnerable or submissive manner. Children should be adequately clothed and not appear in poses that could be seen as sexually suggestive.
* I will ensure images are honest representations of the context and facts.
* I will ensure that photo or video data (such as file labels, metadata or text descriptions) that I create do not reveal information about a child that could identifying them, such as their full name or the name of their school, before sharing (whether electronically or otherwise) or publishing photos or videos in any form.
1. Safeguarding incident reporting form

AAHYA personnel, partners, visitors and anyone else subject to the AAHYA Safeguarding Policy must report any incidents of child abuse or exploitation, sexual exploitation, abuse or harassment or other suspected breaches of the Safeguarding Policy.

All information in this form will be treated confidentially. This form should be provided immediately and within 24 hours of becoming aware of a suspected incident to the President or Vice-President at karimi.aahya@gmail.com.

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| PART 1: ABOUT YOU (to be completed by the person completing the form) |
| Name |  |
| Phone number |  |
| Email |  |
| Date |  |
| Relationship with AAHYA |  |
| Relationship to victim  |  |
| PART 2: DETAILS OF CHILD OR ADULT VICTIM (include all individuals who are affected) |
| Name |  |
| Adult 🞎 Child 🞎 | If child, age: |
| Male 🞎 Female 🞎 |  |
| Contact details (address / phone number) |  |
| Current location of the victim (including who the person lives with if they are a child). Is this location safe? |  |
| What actions have been taken to ensure the victim’s safety  |  |
| Is the victim aware of this report | YES 🞎 NO 🞎 |
| DETAILS ABOUT SUSPECTED INCIDENT |
| Description of what happened. Record exactly what the victim or complainant has said (in their own words) and what you said. |  |
| When did it take place (date and time) |  |
| Where did it take place |  |
| In which AAHYA program |  |
| Names and contact details of any witnesses |  |
| Any additional observations about the victim, such as injuries, emotional state, general impressions. |  |
| How did you become aware of this safeguarding concern  |  |
| Who else has been informed about this safeguarding concern (include name and contact details) |  |
| ABOUT THE SUSPECTED PERPETRATOR / PERSON(S) INVOLVED |
| Name |  |
| Male 🞎 Female 🞎 |  |
| Suspected perpetrator’s relationship with the victim |  |
| Suspected perpetrator’s relationship with AAHYA |  |
| Is the suspected perpetrator Australian or living in Australia |  |
| Current location |  |
| Contact details |  |

1. Information about mandatory reporting requirements in other states and territories is available at https://aifs.gov.au/cfca/publications/mandatory-reporting-child-abuse-and-neglect. [↑](#footnote-ref-1)
2. The MRG applies in NSW and is available at https://reporter.childstory.nsw.gov.au/s/mrg. [↑](#footnote-ref-2)