

### 1. Purpose of the policy

To promote child protection within the organisation, FemiliPNG Australia (FPNGA) has developed this Policy and an accompanying Child Protection Code of Conduct (Code of Conduct). These documents exist to protect children from harm in the delivery of FPNGA's work and to ensure an effective response if harm to a child is ever suspected or detected. The Policy's content is informed by the principles in the United Nations Convention on the Rights of the Child (CRC), DFAT Child Protection Standards, and contextual knowledge and experience. FPNGA's partner organisations' child protection policies have also been drawn on to ensure policy coherence.

The purpose of this Policy is to:

- ensure that child protection is clearly promoted to all engaged with FPNGA
- prevent child abuse from occurring within FPNGA
- promote an organisational culture of child safety
- ensure that all parties are aware of their responsibilities for identifying possible occasions for child abuse and for establishing controls and procedures for preventing such abuse and/or detecting such abuse when it occurs
- provide guidance to FPNGA staff and representatives as to actions that should be taken when they suspect any abuse within or outside of the organisation, including by those in the stakeholder organisations FPNGA works with
- provide a clear statement forbidding any inappropriate behaviour and expressing a zero tolerance approach to child abuse or exploitation
- provide assurance that any and all suspected abuse will be reported and fully investigated
- provide clear guidelines for FPNGA management and Board on how to handle child protection incidents or allegations

### 2. Policy application

This Policy applies to anyone who represents FPNGA including, but not limited to, staff, volunteers, contractors, visitors, and Board members (hereafter referred to as 'Femili PNG staff and representatives'). Its content will be advocated to our partners, donors, and others we work with as part of our organisational commitment to promoting child protection.

FPNGA exists to support its partner Femili PNG's in providing case management services to survivors of family and sexual violence. Mostly, FPNGA is removed from the direct provision of services which means that its operations are not as high risk as those of Femili PNGs in terms of child protection. However, the technical support offered by FPNGA continues to evolve in line with Femili PNG's needs and staff and representatives perform visits to Femili PNG project locations on a regular basis.

This means that FPNGA staff and representatives may also be working in a variety of settings in PNG and may be exposed to survivors, staff and children at safe houses, courts, police stations, the Welfare office, hospitals, government, and other non-government agencies in PNG.

This Policy applies to all FPNGA staff and representatives in all operating contexts and at all times, including during and outside of standard business hours. By becoming a staff member or representative of FPNGA the

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obligations and requirements of this Policy are accepted as mandatory. This Policy also applies to partners who have agreed to acknowledge, adopt or comply with the Code of Conduct

### 3. Definitions

<b>Personnel</b>	A FemilPNG Australia staff member, contractor or volunteer
<b>Representative</b>	A FemilPNG Australia Board member
<b>Child</b>	As defined by the CRC, any person under the age of 18 years is a child.
<b>Child abuse</b>	Child abuse includes all forms of physical, emotional, and sexual abuse, violence in the home (sometimes referred to as domestic violence or family violence), neglect, commercial sexual exploitation (such as child prostitution), child trafficking and child labour as defined below. Child abuse is not limited to only males or females, it can happen to any gender and involves the abuse of children’s rights as outlined in the CRC.
<b>Child emotional abuse</b>	A persistent attack on a child’s self-esteem. For example, but not limited to, teasing, name-calling, threatening, ridiculing, intimidating, or isolating the child.
<b>Child labour</b>	Work that deprives children of their childhood, their potential and their dignity, and that is harmful to physical and mental development. Child labour refers to work that is mentally, physically, socially or morally dangerous and harmful to children and that interferes with their schooling by: <ul style="list-style-type: none"> <li>• depriving them of the opportunity to attend school.</li> <li>• obliging them to leave school prematurely.</li> <li>• requiring them to attempt to combine school attendance with excessively long and heavy work.</li> </ul>
<b>Child neglect</b>	The persistent failure, where there are means, 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.
<b>Child physical abuse</b>	When a person purposefully injures or threatens to injure a child. For example, but not limited to, slapping, punching, shaking, kicking, burning, shoving, grabbing, and throwing stones and other objects.
<b>Child protection</b>	An activity or initiative designed to protect children from any form of harm, particularly arising from child abuse or neglect
<b>Child protection incident</b>	A child protection incident is (a) any form of child abuse as defined in section 3 Definitions; or (b) any breach of this Policy or the Code of Conduct <b>and</b> that is: (c) committed by a FPNGA staff member or representative; or (d) where FPNGA has a duty of care towards the child.
<b>Child rights</b>	Children have the “right to life, survival and development” where development encompasses physical, emotional, cognitive, social, and cultural development.
<b>Child sexual abuse</b>	When a child is used by another child, adolescent, or adult, for his or her own sexual stimulation or gratification. Sexual abuse involves contact and non-contact activities which encompasses all forms of sexual activity involving children, including exposing children to pornographic images, or taking pornographic photographs of children.
<b>Child trafficking</b>	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. This includes abuse of power.
<b>Commercial sexual exploitation</b>	Where a child is sexually abused or exploited and the child or a third person/s is remunerated in cash or kind.

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<b>Cultural safety</b>	An environment that is spiritually, socially, and emotionally safe, as well as physically safe for people; where there is no assault challenge or denial of their identity, of who they are and what they need.
<b>Duty of care</b>	Duty of care is a term used to define the complex obligation that exists between FPNGA and the people with whom it has a relationship. FPNGA (and all its office holders and staff) hold a duty to take reasonable care of a person who is reasonably likely to be affected by the activities of FPNGA.
<b>Family and sexual violence</b>	<p>Family violence means any violence between family members including current or former partners in an intimate relationship. Family violence may include physical, sexual, emotional, and financial abuse, stalking, damage to property, and control through socially isolating the victim, or threats to do any of the aforementioned acts.</p> <p>Sexual violence means any sexual act against a person’s sexuality using coercion including an attempt to obtain a sexual act and unwanted sexual comments or advances, by any person regardless of their relationship to the victim, in any setting, including but not limited to home and work.</p> <p>Family and sexual violence encompasses family violence and sexual violence as described above. It should be noted that while family violence may be perpetrated by family members, sexual violence may be perpetrated by any person regardless of their relationship to the victim.</p>
<b>Reasonable grounds for belief of child abuse</b>	<p>This is a belief based on reasonable grounds that child abuse has or is occurring. Considerations forming such reasonable grounds may include:</p> <ul style="list-style-type: none"> <li>• relevant information from a credible person; and/or</li> <li>• relevant information about the alleged perpetrator; and/or</li> <li>• the child may have stated abuse has occurred; and/or</li> <li>• there may be other signs of abuse.</li> </ul> <p>Note that ‘proof’ is not required at this stage</p>

## 4. Policy Principles

FPNGA’s Child Protection Policy and practices adhere to the guiding principles set out below.

### 4.1 Zero Tolerance of Child Abuse

FPNGA’s staff and representatives understand that any form of child abuse and exploitation is unacceptable and will not be tolerated by anyone who is working within our organisation or who represents our organisation. We will not permit staff or representatives who present a risk to child safety to work for or represent our organisation. FPNGA will ensure that all staff and representatives, new and existing, are made aware of this Policy and their responsibilities in relation to it and understand that abiding by this Policy is mandatory.

### 4.2 Child Rights

FPNGA is committed to protecting and promoting the rights of all children, including the right to safety, without fear of abuse or exploitation, and to have their views heard on matters affecting them, as enshrined in the CRC.

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### 4.3 Duty of Care

FPNGA recognises its duty of care to take all reasonable steps to ensure that the children it assists, or comes into contact with, during the course of its work, are kept safe from harm and to ensure staff and representatives have access to the training and systems to ensure this duty is met. This includes having child protection policies and procedures in place and ensuring that staff understand and implement them (see Section 3 for Duty of Care definition).

### 4.4 Shared Responsibility

FPNGA's interagency model of working in close coordination with partners such as Femili PNG requires FPNGA to promote child protection as a responsibility shared by all. In accordance with its operating model, FPNGA is committed to developing broad understanding among the stakeholders it works with of the importance of child protection and ways to achieve it. Where possible, FPNGA shall encourage partners to acknowledge, adopt and comply with our Child Protection Policy through Memorandum of Understandings and other agreements. Some partners may require additional capacity building in child protection which FPNGA will offer through training and guidance, to either by provided by FPNGA or Femili PNG, whichever organisation is most appropriate to the context. FPNGA understands that, in many cases, this Policy cannot bind other stakeholder organisations it works with. However, as part of FPNGA's commitment to child protection, it will make clear to all its zero tolerance of child abuse and influence other stakeholders to adopt similarly robust approaches to child protection.

### 4.5 Representation

FPNGA believes all children, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, sexual orientation, political or other opinion, national, ethnic, or social origin, property, disability, birth or other status should be free from discrimination and able to access services, care and protection if they are subject to violence or abuse.

### 4.6 Confidentiality

FPNGA will ensure it provides a service and environment where children are respected and feel safe at all times. This includes FPNGA meeting its obligation to maintain the confidentiality of children's information as much as practicably possible, unless for example FPNGA is required by legal or professional duty to disclose information, or, if the child is able to, the child gives permission for disclosure. If FPNGA is compelled to disclose information, and the child is of an age where s/he is able to comprehend the relevant issues, FPNGA will ensure the child's right to be engaged on the issue is met.

## 5. Operating Context

### 5.1 Organisational Characteristics

FPNGA is the Australian-based support organisation for Femili PNG. Femili PNG is a PNG NGO that runs case management centres to assist survivors of family and sexual violence to access the services they need. FPNGA is a charity registered with the Australian Charities and Not-For-Profits Commission, a member of the Australian Council for International Development (ACFID) and accredited under the Australian NGO Cooperation Program.

FPNGA staff are based in Australia with some travel to work with Femili PNG colleagues in PNG. Femili PNG runs case management centres in Lae, Port Moresby and Goroka, and partners with service providers such as police,

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health centres, courts, safe accommodation providers and welfare. Femili PNG works a great deal with vulnerable children, including as clients and the dependents of survivors who are being assisted.

Compared to Femili PNG, FPNGA has a lower risk profile when it comes to child protection. However, because of the work that FPNGA does to support Femili PNG and the context in which Femili PNG operates, FPNGA child protection approaches are designed to also reflect a high-risk operating environment.

## 5.2 Interaction with Children

FPNGA staff and representatives may come in contact with children at work through:

- exposure to child clients or dependents of survivors seeking assistance at Femili PNG case management centres
- attending community or school outreach events run by Femili PNG in PNG
- meeting children in safe accommodation in PNG
- travelling to PNG and meeting Femili PNG representatives or partners and their families
- working on fundraising or outreach events in Australia where children may be in attendance; and
- being in the FPNGA office where children may be visiting. If needed, FPNGA supports Femili PNG in some of its work with children.

If needed, FPNGA supports Femili PNG in some of its work with children. Femili PNG's work with children is guided by its Case Management Policy and Procedure Manual and related policies, including Femili PNG's Child Protection Policy. Femili PNG's policies are aligned with PNG Government policy and legislation, and Femili PNG works in conjunction with PNG child welfare officers and other relevant authorities when providing assistance to children. When providing technical support to Femili PNG, FPNGA staff are informed by Femili PNG's child protection operating context.

## 5.3 Child Protection Risk

There are a number of potential child protection risks arising in the course of FPNGA's work. FPNGA is committed to identifying and managing these risks. They include:

- exposure to FPNGA staff or representatives who may harm the child/ren in some way
- exposure to visitors to FPNGA or Femili PNG who may harm the child/ren in some way
- FPNGA advice or assistance to Femili PNG may unintentionally place children in harm's way
- FPNGA may work with other organisations who place children in harm's way, including through decision-making over which FPNGA may have no control (for example, decisions by police, government, courts and other NGOs in PNG); and
- other risks, seen and unforeseen.

FPNGA's staff and representatives are committed to identifying the risks facing children and ways to effectively mitigate them in accordance with this Policy and other relevant FPNGA policies and risk management tools.

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## 6. Policy Statements

- 6.1 FPNGA has zero tolerance for child abuse.
- 6.2 FPNGA is committed to promoting the health, safety and wellbeing of all children and protecting them from exploitation and abuse. We are committed to the cultural safety of children and to providing a safe environment for children, including children living with a disability.
- 6.3 FPNGA recognises that perpetration of harm against children is more likely to occur where an organisation lacks the culture, ethics, leadership, policies, and professionalism to promote child protection.
- 6.4 All children, regardless of their gender, race, religious beliefs, age, disability, sexual orientation, or family or social background, have equal rights to protection from abuse.
- 6.5 All FPNGA staff and representatives are responsible for the care and protection of children and are obligated to report information about any harm to children, especially child abuse and suspected child abuse (see Section 6.0 Child Protection Reporting Procedures).
- 6.6 In line with international evidence that children are often reluctant to disclose abuse and rarely falsely claim abuse, FPNGA takes the position that children are to be believed when disclosing abuse.
- 6.7 FPNGA's staff and representatives are all responsible for ensuring our child protection approach is understood and integrated into all areas of our work and our organisation's ethics and culture.

## 7. Implementation

The following mechanisms will be used to implement FPNGA's Child Protection Policy.

### 7.1 Child Protection Code of Conduct

The Code of Conduct clearly outlines acceptable and unacceptable standards of behaviour regarding interactions with children. It applies to all FPNGA staff and representatives and provides them with clear guidance on how to minimise risks to children, including when working with other organisations. All FPNGA staff and representatives must demonstrate their commitment to this Code of Conduct by signing it, indicating they will abide this Code at all times. The FPNGA CEO is responsible for ensuring that a signed copy of the Code of Conduct is held on file for all FPNGA staff and representatives.

### 7.2 Risk Management

While FPNGA cannot control all risks of child abuse and exploitation, it commits to ensuring the risks of child abuse and exploitation are identified, monitored and reasonably mitigated against. The Board and staff are critically important to effective risk management and will specifically discuss child protection in developing and implementing risk management plans. FPNGA's full suite of risk management tools and skills are used to mitigate child protection risks.

FPNGA recognises child protection risks and manages these risks to children in all our activities reduce the risk of harm. This is achieved by examining each category of activity and its potential impact on children. Activities and work directly with children are automatically considered as higher risk and therefore require more stringent analysis and child protection risk mitigation.

Risk management is an ongoing part of everyday work, and FPNGA works closely with staff to grow their awareness of this, and of ways to address child protection risks and report issues promptly.

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### 7.3 Accessibility

This Policy will be publicly available to all and accessible on our website. We will assist willing partner organisations to use this Policy to assist development of their own child protection policies. The Code of Conduct will also be posted on the website and copies of all child protection documentation will be provided to all staff during training and induction.

### 7.4 Training and Induction

FPNGA will provide specific training to all staff on child protection, and staff will be supported to ensure commitments are met. Child protection training will be arranged for FPNGA staff on an annual basis. This Policy will also be reviewed on an annual basis to allow staff feedback to inform any policy amendments. New staff will be provided with a comprehensive induction on this Policy and Code of Conduct on joining the organisation.

### 7.5 Child Protection Training

The FPNGA CEO is the designated focal point for all child protection issues and will manage and oversee significant child protection issues. The delegate may also, as required, delegate certain specific issues and enquiries relating to PNG operations and child protection to Femili PNG. The child protection delegate is responsible for ensuring that this Policy is implemented.

### 7.6 Photos, Images and Story Gathering

FPNGA will at all times portray children in a respectful, appropriate and consensual way. Our guidelines on the use of children's images are:

- No child client of Femili PNG or child at the Bel isi PNG safe house will have their image captured in still or film form (except if requested by an authority for the purpose of legal action or medical evidence).
- Any other child images should only be captured with the consent of the child/ren and parents (or teacher, if in a school setting). When asking for consent, clear details should be given as to how and where this image will be used, and the ability to retract permission at any time should be made clear.
- Children should always be portrayed 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.
- There should be no identifying information of the child used in the publication of images with their location.
- Children should be portrayed as part of their community.
- Local cultural traditions should be assessed regarding restrictions for reproducing personal images.
- Images should be an honest representation of the context and the facts.
- When sending images electronically, file labels should not reveal identifying information.
- All photographers will be screened for their suitability, including police checks where appropriate.

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## 7.7 Recruitment

FPNGA undertakes a comprehensive recruitment and screening process for all staff and volunteers which aims to:

- promote and protect the safety of all children under the care of the organization
- identify the safest and most suitable people who share our values and commitment to protect children; and
- prevent a person from working at FPNGA if they pose a risk to children.

This screening process includes:

- stating in all job advertisements that FPNGA is committed to child protection and that recruitment and selection procedures will reflect this.
- National Police checks.
- referee checking
- use of behavioural-based interview questions that probe the applicant's past behaviour relating to children in specific situations relevant to the position (these give interviewers additional information as to the applicant's suitability to work with children)

FPNGA will not engage any person who poses an unacceptable risk to children.

All employment contracts contain provisions for immediate dismissal for any personnel who after due process are found to have breached this Policy and the Code of Conduct. Due process will include a formal investigation and any personnel who is the subject of a formal investigation will be suspended from duty for the duration of the investigation.

### Visitors

To extent that FPNGA organises visitors to the Femili PNG project locations in Lae, Port Moresby and Goroka, FPNGA will take the following preventative measures:

- brief all visitors on the requirements with regard to child protection and mechanisms for reporting any suspicion or allegation of abuse
- provide all visitors with a copy of Child Protection Policy
- require all visitors to read and sign the Child Protection Code of Conduct; and
- ensure that visitors are accompanied by FPNGA or Femili PNG staff at all times while visiting project or partner location.

## 8. Child Protection Reporting Procedures

FPNGA's child protection reporting procedures are guided by the following:

- swift and appropriate action where there is reasonable grounds for belief of child abuse
- reporting and notification obligations under PNG or Australian law
- duty of care obligations
- client confidentiality obligations
- child and client safety; and
- employees and other relevant individuals' legal rights

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## 8.1 Responsibility to Report

**All** FPNGA staff and representatives are responsible to report any suspicion, allegation or witnessing of a child protection incident.

A child protection incident is:

- (a) any form of child abuse as defined in section 3 Definitions; **or**
- (b) any breach of this Policy or the Code of Conduct

**and**, that is:

- (c) committed by FPNGA or Femili PNG staff or representative; **or**
- (d) where FPNGA or Femili PNG has a duty of care towards the child.

It is **not** the role of FPNGA staff/representatives to **prove** that a child protection incident has occurred, but to report any knowledge or concern, founded or otherwise, that they may have of a child protection incident occurring.

## 9. Reporting Procedures and Flow Chart

FPNGA staff and representatives must report the child protection incident (or suspected child protection incident) to the Child Protection Delegate immediately, or within 24 hours of the incident/receipt of information if they are in a location or situation which prevents them from reporting immediately. The report will generally be made verbally in the first instance but must be followed up by a detailed written account of the incident. Whether reporting verbally or in writing, it should be done confidentially.

The reporting process and the responsibility of each party is outlined below:

*FPNGA staff or representative:*

- Must report child protection incident or suspected child protection incident to the Child Protection Delegate (FPNGA CEO) immediately or within 24 hours (at latest).

*FPNGA Child Protection Delegate:*

- Records incident.
- Consults with Chair and/or Board to determine action and investigation required and overseeing that action/investigation.
- Responsible for overseeing the referral of incident to relevant authority.
- Updates reporting staff or representative on the action taken.
- Responsible for reporting incident to donors and the Board.

If you are still not sure what to do in the case of a suspected child protection incident or have any questions or concerns, discuss with the Child Protection Delegate (FPNGA CEO).

If the situation occurs where a Child Protection Delegate is suspected of involvement in the child protection incident, or if the person having the suspicion does not believe that the matter is being appropriately addressed or dealt with, the matter should be escalated to the Chair of FPNGA via email marked confidential to

[Stephen.Howes@anu.edu.au](mailto:Stephen.Howes@anu.edu.au)

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## 9.1 Reporting by other parties

If any other party (including partners, clients and service providers) wishes to report a child protection incident relating to FPNGA, they can do so by emailing the FPNGA CEO on [report@femilipng.org](mailto:report@femilipng.org). If they prefer, they can contact the Chair: [stephen.howes@anu.edu.au](mailto:stephen.howes@anu.edu.au)

FPNGA receives funding through Australia's development program and complies with the DFAT Child Protection nine minimum standards. Child protection complaints in relation to FPNGA's operations can be made to DFAT. For reporting requirements, visit [dfat.gov.au/child protection](http://dfat.gov.au/child-protection).

Information on how to make a child protection complaint is available on our website [femilipng.org](http://femilipng.org).

## 9.2 Confidentiality and Safety

Confidentiality (i.e. protection of the identities of the reporter, victim and perpetrator) should be ensured to the fullest degree possible under the circumstances. All details of the reporting and investigation process are kept as confidential as possible within the requirements of the law, and only shared with relevant persons, such as local authorities. Provisions will be made for the protection of the person reporting an issue or concern if they have a genuine fear for their physical safety. Likewise, FPNGA will ensure that any staff member or representative who is accused of breaching this Policy is treated justly and is safe (until the point their engagement as a FPNGA staff member or representative ends). The child's safety is the paramount consideration for FPNGA and provision for the child's safety and wellbeing will be prioritised.

## 9.3 Investigation

It is the role of the Child Protection Delegate (FPNGA CEO) to confidentially investigate each report as part of a process to:

- understand the circumstances surrounding the alleged child protection incident
- determine what actions were taken by FPNGA staff and representatives involved in the incident; and
- to address the needs of the survivor (child)

Given the importance of child protection to FPNGA's work and organisational ethics and culture, all child protection incidents will be formally investigated and the investigation will be directly overseen by the FPNGA CEO.

Child protection incidents allegedly committed by FPNGA staff or representatives will be investigated in accordance with the FPNGA HR Policy Manual: Investigating Misconduct. The staff or representative implicated in the child protection incident may be suspended while the investigation is taking place. Disciplinary action will be taken in accordance with the HR Policy Manual: Disciplinary Procedure.

The appropriate and necessary actions taken as a result of each investigation will be determined by the FPNGA CEO, Chair and/or Board on a case-by-case basis. The FPNGA CEO may seek legal advice, if necessary.

## 9.4 Donor and Partner Notification

FPNGA has an obligation to report relevant child protection incidents involving its staff and representatives to its donors and partners.

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Under our agreements and compliance obligations, FPNGA must immediately disclose to donors if the organisation, staff, representatives, or subcontractors are accused or charged with, suspected of, or convicted of, criminal offences relating to child abuse or exploitation.

The safety of the child involved in the reported child protection incident is a priority. A report will also be made to the appropriate authorities and services within 24 hours to ensure the safety of the child and that the child is protected.

## 10. Policy amendments

All policies are subject to review and endorsement by the FemiliPNG Australia Board. Suggestions about this policy are welcome and should be directed to the FemiliPNG Australia CEO. Any amendments or changes to the Policy will be submitted to the Board for endorsement.

The CEO is responsible for maintaining this document, including updating confirmed changes, informing staff of the changes, and disseminating the latest version to all personnel.

This policy will be reviewed every three years, or as needed to meet governance obligations and/or changes in legislation.

Reviews of this Policy will be conducted in light of and informed by any reported child protection incident(s) to assist assessment of whether this Policy and the Code of Conduct require modification to enable better protection of the children who engage with the organisation, its staff and representative

## 11. Related documents

Document number	Document name
-	FPNGA Child Protection Code of Conduct
POL-015	FPNGA HR Policy Manual
DOC-002	FPNGA Risk Management Framework

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