

Contents

1. Introduction.....	1
2. Definition of Terms	2
3. Policy Statement.....	3
4. Policy in Practice	3
4.1 Confidentiality	4
4.2 Code of Conduct.....	4
4.3 Recruitment	5
4.4 Child Protection Awareness and Training.....	6
4.5 Nepalese Child Protection Laws & Regulations	6
4.6 International and Local (in field country) Child Protection Laws	6
4.7 Safeguarding Focal Point	6
4.8 Risk Mitigation	7
4.9 Child Protection and our Overseas Partners	7
4.10 Marketing and Communications	8
4.11 Child Protection Policy and Code of Conduct Breaches.....	8
4.12 Child Abuse Report or Complaint.....	8
4.13 Investigation of Reports or Complaints	8
Bibliography/References	10
Appendix I: Habitat for Humanity International Nepal’s Child Protection Code of Conduct	11
Appendix II: National Criminal History Record Checks.....	14
Appendix III: Process of Handling & Responding to Accusations of Child Abuse	17
Appendix IV: Reporting Form for Suspected Child Abuse or Policy Breaches.....	18
Appendix V: Child Protection – Policy Implementation Checklist	21
Appendix VI: Child Protection Policy Checklist – HFHIN & Partners.....	25
Appendix VII: Child Protection Guidelines for Implementing Partners.....	33

1. Introduction

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

HFHIN’s Child Protection Policy and Procedures is guided by the principles enshrined in the United Nations Convention on the Rights of the Child and where relevant, the Department of Foreign Affairs and Trade’s (DFAT) Child Protection Policy (2018).

HFHIN's Child Protection Policy and Procedures are reviewed every two years and re-ratified by HFHIN's Senior Management Team. HFHIN's Child Protection Policy and Procedures is reviewed more regularly if required to comply with any changes to the DFAT Child Protection Policy and related Guidance Notes, the Australian Council for International Development (ACFID) Code, or child protection legislation or other applicable legislation.

This policy must be read in conjunction with HFHI's and HFHIN's policies: Child Labor Policy which outlines our commitment to supporting programs which protect the health and safety of children, Prevention of Sexual Exploitation, Abuse and Harassment Policy, Use of Photos and Stories Policy and Safeguarding Policy which outlines specific provisions for managing child protection risks in humanitarian response contexts.

HFHIN acknowledges that in its usual operations it does not have programs which work directly with children as such. However, HFHIN recognises that children are everywhere and HFHIN stakeholders will come into contact with children in the usual course of working with vulnerable individuals and families who need shelter and housing. This policy and the associated practices adopt a risk-based approach noting that the risks on a construction site in Nepal will necessarily be different to risks in the local communities we work with in our international development work.

2. Definition of Terms

Child: In keeping with the UN Convention on the Rights of the Child, HFHIN defines a child as a person under the age of 18 years.

Abuse: There are several forms of child abuse, all of which have the potential to have a significant impact on a child's development and well-being. They include:

- ***Physical Abuse***

Physical abuse occurs when a person purposefully injures or threatens to injure a child or young person. This abuse may include slapping, punching, shaking, kicking, burning, shoving, grabbing, forced labor or making available alcohol or drugs to a child. Physical injury may take the form of bruises, cuts, burns or fractures. It is not always the case that physical injuries will be visible.

- ***Emotional Abuse***

Emotional abuse occurs when persistent ill treatment of a child affects their self-esteem. This may include name calling, rejection, threatening, intimidating, cyberbullying or any other act which can affect the child's physical and emotional growth, and self-esteem.

- ***Neglect***

Neglect occurs when a child's basic needs have consistently not been met to the extent that this has a detrimental effect on the child's health and personal development. These basic needs include food, clothing, shelter and supervision.

- ***Sexual Abuse***

Sexual abuse occurs when there has been any (or likely) sexual exploitation of a child by an adult. Sexual abuse includes any actual, attempted or threatened sexual activity involving children, including intercourse, fondling, oral sex, exhibitionism and exposing the child to pornography.

- **Commercial Sexual Exploitation of Children (CSEC)**

CSEC occurs when a child is sexually abused or exploited in return for cash or any other goods or services. Examples of CSEC include children in prostitution, children involved as subjects in child pornography and child sex tourism.

Volunteer: Includes National Office volunteers, interns, Senior Management Team, and Committee members. All Volunteers including those under the age of 18, must adhere to this Policy and the Code of Conduct.

Stakeholder: Includes Senior Management Team, Committee Members, Staff (full-time, part-time, casual), consultants, contractors, interns, volunteers, agents and partners including Habitat for Humanity National Offices (NOs), Habitat for Humanity International Branches and their downstream partners and sub-contractors and Nepalese District based Habitat for Humanity Affiliates.

Report or Complaint: Includes any expression or communication that suggests that there may have been a breach of this Policy, including a breach of HFHIN's Child Protection Code of Conduct.

3. Policy Statement

HFHIN has **zero tolerance** for any form of child exploitation or child abuse and will take all necessary measures to minimize the risk of harm to children. HFHIN strives to be a child safe organization and to remove the risk of child abuse and any harm to children in all aspects of HFHIN's operations. While it is not possible to entirely eliminate risks of child exploitation and abuse, careful management can identify, mitigate, manage and reduce the risks to children associated with HFHIN operations.

HFHIN will encourage, respond to and support initiatives that:

- Affirm that all children in all circumstances have the right to feel and be safe and to live free from harm, exploitation and abuse.
- Keep the health and safety of children paramount at all times.
- Ensure that personal dignity and respect for children and young people is maintained through all projects, programs, activities and departments.
- Work both directly and indirectly to reduce the risks children face, both from outside and within the family.

4. Policy in Practice

HFHIN requires all HFHIN Stakeholders, including its directors, staff, volunteers, partners and agents to understand and act in accordance with the Child Protection Policy and Procedures at all times.

HFHIN has **zero tolerance** for any form of child exploitation or child abuse and will take all necessary measures to minimize the risk of child abuse. This risk will be minimized by employing a number of safeguards, including:

- Defining child abuse in its various forms in its policies and procedures
- Upholding and enforcing HFHIN's Child Protection Code of Conduct
- Ensuring appropriate safeguards in recruitment, selection and screening of all HFHIN Stakeholders
- Promoting awareness of child protection issues amongst HFHIN Stakeholders, including overseas partners

- Assigning an HFHIN staff member as the Safeguarding Focal Point
- Specifying child protection risk management obligations of Partners in Partnership and Activity Agreements with HFHIN
- Undertaking annual assessments of Partner organizational compliance with HFHIN Child Protection Policy
- Undertaking child protection risk assessments for every project and activity
- Including Child Protection and overall Safeguarding as a standing item on the Organizational Risk Register and the International Program Risk Register and the Program Risk Register and Volunteering Risk Register, if any
- Establishing clear procedures for dealing with child abuse allegations and breaches of this Policy including immediate reporting to DFAT
- Reviewing child protection policy standards on a regular basis and at least every two years, as well as conducting a detailed, systematic assessment at least every three years
- Ensuring this Policy and associated reporting mechanisms are publicly available and well socialized amongst Stakeholders

Under *DFAT Child Protection Guidance Note - Establishing Child Protection Risk Context*, HFHIN is classified as a child focused organization that has staff with “contact with children” as well as “working with children” and therefore the contextual risk is determined to be “very high”.

HFHIN has a **zero tolerance** to child exploitation and abuse and will ensure the rights of the child are held paramount at all times. If an allegation of child abuse or breach of HFHIN’s Child Protection Policy has been made, HFHIN will take steps to fully investigate the matter. Further information on this process is outlined in Clauses 4.12 and 4.13 of this policy.

At all times, HFHIN will ensure the rights of the child are held paramount. If an allegation of child abuse has been made HFHIN will take steps to fully investigate the matter either directly or by reporting the matter to the appropriate authority. If the incident involves a HFHIN staff or implementing partner/PNGO staff, HFHIN has the right to suspend the employee member until a thorough investigation has occurred. Any staff who has been stood down will continue to receive full pay and will be treated with respect and not be considered guilty or innocent until the investigation has been completed.

4.1 Confidentiality

HFHIN recognizes the importance of confidentiality with regards to reporting and investigating child protection allegations, and that a breach in confidentiality can have negative effects on the child, their family, the complainant and the alleged offender. In order to protect the interests of the child, their confidentiality will be respected at all times. HFHIN will not reveal the name or personal details of those alleged to anyone in or outside the organization other than to those who need to know as part of the investigation.

4.2 Code of Conduct

HFHIN’s Child Protection Code of Conduct is designed to minimize the risk of child abuse allegations, policy breaches and serves as a guide for all HFHIN Stakeholders to conduct themselves in a manner which in turn reduces their own risk of any allegations made against them. On commencement of their association with HFHIN, all Stakeholders are required to read and commit to HFHIN’s Child Protection Policy and Procedures and to sign HFHIN’s Child Protection Code of Conduct (Appendix 1). The Code of Conduct acknowledges and incorporates the requirement to adhere to HFHIN’s PSEAH Policy. All HFHIN Stakeholders are expected to adhere to the Child Protection Code of Conduct at all times during their involvement with HFHIN.

4.3 Recruitment

To uphold the principles of Child Protection, the following steps are taken during HFHIN's recruitment processes:

- ***Job advertisements***

Job advertisements for paid or volunteer positions are to contain a statement that criminal history checks will be undertaken. Additionally, working with children checks for 'contact with children' positions will be undertaken prior to engagement.

- ***Interview and Selection Process***

The requirement to provide a national criminal history record check is flagged during interview selection processes.

- ***Reference checks***

All potential employees undergo at least two comprehensive reference and character checks prior to being offered any position. Reference checks are documented and filed accordingly. For positions that involve direct contact with children or child-related projects, specific questions regarding the applicant's suitability to work directly with children will be asked as part of verbal reference checks.

- ***Criminal Background Checks***

National criminal history record checks are undertaken for all staff and other HFHIN Stakeholders on commencement. For those staff who are in direct contact with children as part of their role, a working with children check may also be required.

All Court Disclosures are required to be assessed, irrespective of the offence and their potential Child Protection risk. See Appendix II for more information.

- **HFHIN Staff and National Office Volunteers:** full-time HFHIN staff, and to the extent that they have contact with children, part-time, casual employees, contractors, consultants and interns will undertake a national criminal history record check or, if this is impossible, provide a Statutory Declaration as part of the recruitment process. HFHIN National Office volunteers will require a national criminal history record check or Statutory Declaration as above only if dealing with children or if they have access to sensitive information such as details of financial accounts. Employment with HFHIN is subject to the result of the national criminal history record checks, or submission of a statutory declaration on commencement. Any HFHIN staff member who has direct access to children under an on-site supervisor role will be required to submit a working with children check (or Nepalese District or Territory Government authority equivalent) in addition to their national criminal history record checks or statutory declaration. HFHIN staff and Board/Committee members travelling overseas will also be required to undertake a working with children check, regardless of whether any contact with children, prior to departure.

If police checks are not attainable (particularly in instances where people from other countries are volunteering with HFHIN and a national criminal history record check equivalent is not available in their country) a Statutory Declaration needs to be signed that discloses any convictions, setting out the details of the offence. Checks are to be conducted for a person's citizen country and also for any country where a person has lived for the past 12 months in the previous 5-year period.

- **Employment Contracts**

HFHIN employment contracts contain provisions for suspension or transfer to other duties of any employee who is under investigation and provision to dismiss any employee once an investigation reveals sufficient evidence to warrant termination.

- **Recruitment Outcomes**

As part of recruitment processes, any person deemed to pose an unacceptable risk to children will not be engaged by HFHIN.

4.4 Child Protection Awareness and Training

HFHIN recognizes the importance of ensuring all Stakeholders are aware of child protection issues and their responsibility to uphold the rights of the child at all times.

As part of the induction process for all new HFHIN staff members, they receive a copy of HFHIN's Child Protection Policy and are expected to complete the online training on HFHIN's Child Protection Policy and Procedures within the first month of their employment. For any roles which involve contact with children, the training will be completed in the first week of employment.

Annual staff training (or more frequently to introduce any policy changes) is provided by the Safeguarding Focal Point to ensure that:

- a) Staff understand what Child Protection is, understand the HFHIN Child Protection Policy and Code of Conduct, why they are both important and how it impacts their work.
- b) Staff understand the reporting procedure and consequences if there is an issue where the Child Protection Policy or Code of Conduct is breached.
- c) Staff have an opportunity to raise any questions, challenges and apprehensions they may have in implementing the Child Protection Policy and Procedures.
- d) Staff are aware of any changes to the HFHIN Child Protection Policy or Code of Conduct.

HFHIN Senior Management Team and sub-Committee members are briefed on HFHIN's Child Protection Policy and Procedures on commencement and are required to familiarise themselves with the Policy and Procedures and to sign the Child Protection Code of Conduct. Board and Committee Members undertake child protection training on commencement and then annually thereafter.

4.5 Nepalese Child Protection Laws & Regulations

Each District in Nepal follows certain processes when investigating or responding to allegations or suspicions of child abuse. Any allegations or suspicions resulting from HFHIN activities in Nepal will be referred to the relevant District or Territory authority.

4.6 International and Local (in field country) Child Protection Laws

All HFHIN Stakeholders have a legal obligation to adhere to International and Local (in field country) Child Protection Laws whilst representing HFHIN. This obligation is part of the Child Protection Code of Conduct.

4.7 Safeguarding Focal Point

The ND appoints a Safeguarding Focal Point, the Head of HR and Admin (and an acting Safeguarding Focal Point in their absence) who is responsible for:

- Ensuring Child Protection Policy and Procedures are up to date and relevant.
- Monitoring organization-wide compliance with the Child Protection Policy and Procedures.
- Coordinating staff induction and trainings/briefings on HFHIN Child Protection Policy

and Procedures.

- Together with the ND, jointly responding to any allegations of child abuse, neglect or any other action which directly contravenes HFHIN's Child Protection Policy and Procedures.
- In conjunction with the ND and Head of International Programs, notifying DFAT immediately and within 2 days of any child protection allegations or incidents or within 5 days for any policy non-compliance or Code of Conduct breaches.

4.8 Risk Mitigation

To ensure that HFHIN upholds the Child Protection Policy and Procedures to the highest standard possible, risk management strategies are applied across the organization. These include:

- Planned activities and programs consider the rights of children and their safety, and every project's risk management plan includes analysis of child protection risks and measures required for their mitigation. Management of these risks is monitored through regular project reporting.
- Wherever children are involved in an activity, at least two adult staff members are present at all times, and where possible, open plan spaces are used for activities involving children.
- All HFHIN Stakeholders are informed about HFHIN's Child Protection Policy and Procedures and any revisions to the policy or procedures
- The Child Protection Policy and Code of Conduct are enforced at all times.
- Child Protection risks are included as a standing item in HFHIN's Organizational Risk Register and the International Programs Risk Register, the Program Risk Register and Volunteering Risk Register, if any.

4.9 Child Protection and our Overseas Partners

HFHIN works with partners to address child protection in our international development programs and projects. HFHIN supports its Partners including downstream partners and their sub-contractors to understand and comply with the HFHIN Child Protection Policy and Procedures through:

- Providing guidance on risk identification and minimum requirements for Child Protection (refer to Appendix VII)
- Assistance with developing their own Child Protection or Safeguarding Policy
- Annual monitoring of Policy compliance by HFHIN's International Program Team during monitoring trips (travel restrictions permitting) to ensure partners and secondary partners meet minimum requirements for Child Protection (refer to Appendix V and VI for monitoring checklist and tools)
- Capacity building support for policy implementation as needed
- Including Child Protection as a cross-cutting theme in overseas project design

As part of our Partner's Child Protection Policy, HFHIN encourages each Partner to put in place a Local Reporting Procedure to include local contacts and referral list of networks.

HFHIN has an obligation to report to HFHI and to DFAT **immediately** any suspected or alleged case of child exploitation, abuse (within 2 working days) or policy non-compliance or Code of Conduct breaches (within 5 working days). in DFAT funded activities or projects. This includes any incidents from downstream partners and their sub-contractors. As outlined in our Partnership Agreements, HFHIN requires Partner Organizations to alert HFHIN of any such incidents or reports immediately, so that these reports can be referred to DFAT and HFHI.

4.10 Marketing and Communications

HFHIN takes steps to ensure the appropriate use of children's images (including photographs, videos, DVDs etc.) in all its marketing activities and communications. All HFHIN staff are briefed and receive consent forms to use when collecting media content on project visits. Further information on the appropriate use of stories and photos is contained in HFHIN's Use of Stories and Photos Policy. Steps we have taken to ensure the appropriate use of children's images include the following:

- a) Any image of a child shall not be printed, scanned or distributed without consent from the child's parents/guardians.
- b) All children must be appropriately dressed in images and concern for their dignity and respect will remain paramount at all times.
- c) An image must not be taken which depicts children in a submissive or sexually suggestive manner.
- d) An image must not disclose details which could enable the child to be identified.
- e) An image of a child must portray a truthful account of their situation.
- f) No information will be published which will identify the exact location of a child e.g. surname, first name and village name may be changed to protect children's identity; and geo-tagging of photos must be turned off.

4.11 Child Protection Policy and Code of Conduct Breaches

A breach occurs when a Stakeholder's behaviour contravenes the principles outlined in the Child Protection Policy or the Code of Conduct, but does not constitute child abuse, as described in the definitions (see definitions in Section 1). A complaint of a breach of the Child Protection Policy and the Code of Conduct by any HFHIN Stakeholder, must be reported to the Safeguarding Focal Point immediately, who will report it to DFAT immediately (within 5 days).

4.12 Child Abuse Report or Complaint

There is an ethical, moral and legal obligation that all incidents of physical, sexual or emotional abuse are reported (see definitions in Section 1 Introduction). Any complaint or report of any form of child abuse must be reported to the Safeguarding Focal Point immediately. For allegations connected with DFAT funded projects, any suspected or alleged case of child exploitation, abuse or policy non-compliance must be reported **immediately** to DFAT via childwelfare@dfat.gov.au. Specifically, for any alleged case of child exploitation or abuse, the reporting requirement is immediate and mandatory to DFAT within 2 working days and for any policy non-compliance or breach of code of conduct, reporting to DFAT is mandatory within 5 working days.

4.13 Investigation of Reports or Complaints

- 1) Any report or complaint is to be reported immediately to the Safeguarding Focal Point who will immediately inform the ND and Chair of the Senior Management Team. DFAT will be informed immediately within 2 days for any alleged case of child exploitation or abuse or 5 days for policy breach or code of conduct breaches. Wherever possible, reports should be completed using the Reporting Form for Suspected Child Abuse or Child Protection Policy Breach (Appendix IV). For all complaints of breaches, the Safeguarding Focal Point will make an initial assessment of the severity of the breach and the urgency of action. In the event that the alleged perpetrator is the ND, the Safeguarding Focal Point will notify the Chair of the Board directly.
- 2) The ND will appoint a team to conduct a formal investigation into the complaint or report. The investigation team may include HFHIN staff (such as Managers) or members of the Senior Management Team. The investigation team will treat all complaints and reports

seriously. The investigation will be handled professionally, in confidence and in a timely manner. Procedural fairness will be applied and all decisions made will be in the best interests of the child. HFHIN will ensure that the person who raises the complaint or report is not required to express their suspicion to the person implicated. Individuals who report a suspected breach are not responsible for investigating their concern.

- 3) If the report or complaint is assessed as being a potential criminal offence, the ND is required to refer the complaint or report to relevant District or Territory authority, or in the case of HFHI National Offices, in-country law enforcement authorities, if it is deemed to be in the best interest of the child.
- 4) HFHIN's investigation must not interfere with any steps being taken by appropriate authorities. Ordinarily this will mean that the HFHIN investigation will not proceed further until the investigation by law enforcement authorities has concluded.
- 5) If the alleged perpetrator is an HFHIN employee, the ND has the authority to stand them down until an investigation has been completed. If the alleged perpetrator is associated with HFHIN in a volunteer capacity, they must cease HFHIN activities until the investigation has been completed. If the allegations are from previous involvement with HFHIN, the alleged perpetrator is not able to re-engage with HFHIN until the investigation has been completed.
- 6) If the breach concerns an HFHIN Stakeholder overseas or one of our overseas partners; HFHIN will work with the relevant overseas partner and local Habitat office to investigate the matter and to manage the allegation.
- 7) The team that conducts the investigation will provide a written report to the ND setting out the investigation findings and course of action to address the matters raised by the investigation.
- 8) Once an outcome has been determined by the ND, the people involved will be informed including (where appropriate) the child, family, and alleged perpetrator. Anyone else actively involved will be informed on a need-to-know basis consistent with confidentiality requirements.
- 9) All necessary steps will be taken after the investigation has been completed to address the outcome. This may include:
 - Compensation for a child harmed
 - Reinstatement of a staff member
 - Necessary actions to address any reputational impact or concern amongst HFHIN Stakeholders
 - Dismissal of the perpetrator
 - Disciplining of a staff member
 - Steps to terminate engagement of a volunteer with HFHIN
 - Requiring any associated organization such as an Affiliate or Partner organization to carry out appropriate steps including those set out above.
 - Liaison with law enforcement authorities.

HFHIN will keep a record of all reports and complaints and the investigation and outcomes of those reports and complaints. This record must be appropriately kept so as to protect confidentiality.

➤ **Nepal reporting channels are:**

Reporting Hotline- 5431192

Email id- concerns@habitatnepal.org

Refer to Appendix III for a flowchart of the procedure for addressing reports or complaints. The HFHIN Complaints Policy should also be referred to for principles and procedures adopted by HFHIN.

NB: Habitat for Humanity International has also provided a mechanism for raising in good faith

any suspected violations of the laws or of Habitat for Humanity's policies. **Habitat Ethics and Accountability Line (HEAL)** is a hotline and website provided by a third-party service. This system can be used when the reporter or complainant wishes to remain anonymous.

Reports or complaints can be made online or via telephone 24 hours a day, 7 days a week:

- Within the United States, call toll-free 1-800-461-9330
- Outside the United States, call collect 1-800-763-983
- Online at <https://app.convercent.com/en-us/LandingPage/499b0647-c9d1-e511-80cc-000d3ab1b4ff>

Bibliography/References

1. Habitat for Humanity International. Minors Policy
2. Habitat for Humanity International. Child Labour Policy
3. Habitat for Humanity Vietnam (July 2007) Child Labour and Protection Policy.
4. Habitat for Humanity Australia (February 2022)
5. United Nations (1990) Convention on the Rights of the Child (UN CRC)
6. International Labour Organisation (1973) Convention No. 138
7. International Labour Organisation (1999) Convention No. 182 (ratified 2006 Australia)
8. DFAT (2018) Child Protection Policy
9. ChildWise (2006) Child Protection Strategy outline
10. NSW Ombudsman (2004) Child Protection in the workplace: Responding to allegations against employees.
11. DFAT Child Protection – Professional Behaviours, Attachment B of DFAT Child Protection Policy 2018
12. DFAT Child Protection Guidance Note - Establishing Child Protection Risk Context, January 2018
13. DFAT Child Protection Guidance Note - Infrastructure Activities, January 2017.

Appendix I: Habitat for Humanity International Nepal's Child Protection Code of Conduct

Policy acknowledgement form

As an HFHIN representative, I **WILL**:

- Treat all children and young people with respect at all times, regardless of race, religion, ethnicity, indigeneity, disability, age, displacement, caste, gender, gender identity, sexuality, sexual orientation, poverty, class or socio-economic status or any other difference.
- Ensure that I am fully aware of HFHIN's Child Protection Policy, Principles and Procedures.
- Ensure that I am fully aware and abide by HFHIN's Prevention of Sexual Exploitation and Abuse Policy, Principles and Procedures.
- Promote a safe environment where children (and young people, parents and families) feel safe, empowered and able to communicate openly.
- Act professionally and maintain appropriate boundaries at all times.
- Avoid circumstances where my behaviour may be misinterpreted as hostile, suggestive, inappropriate or neglectful.
- Always ensure that a minimum of two adults are present when with a child. If it is not possible to have another adult present, ensure that I am at least visible to others.
- Act swiftly and ensure that any perceived risk to a child is immediately reported via the procedures in the HFHIN Child Protection Policy and Procedures.
- Immediately report concerns or allegations of Policy and Code of Conduct non-compliance, child exploitation or abuse; to HFHIN senior management, Safeguarding Focal Point or build team leader, regardless of whether this has resulted in harm to a child.
- Immediately disclose all charges, convictions and other outcomes of an offence under any legislation (not only relating to Child Protection), which occurred prior to or during my association with HFHIN.
- Keep all cases and allegations (proven or otherwise) reported to HFH confidential at all times.
- Adhere to international or local (in field country) child protection laws
- Comply with all relevant Nepalese and local legislation, including labor laws in relation to child labor.

As an HFHIN representative, I **WILL NOT**:

- Engage in any behaviour (including use of language or physical) with a child which is, or could be interpreted as inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate.
- Engage in any unwarranted or inappropriate touching of a child.
- Engage in any form of sexual intercourse or sexual activity with a child or any persons under the age of 18 years, regardless of the age of consent.
- Spend time alone with a child or children in their home or community.
- Invite unaccompanied child or children to visit my home, hotel accommodation or office, or take an unaccompanied child or children in a vehicle (except in emergency situations, or if they are at immediate risk of injury or in physical danger).

- Sleep close to unsupervised children.
- Undertake or participate in any activities with children present which are illegal.
- Give or provide children or their parents with alcohol or illegal drugs.
- Hire or use children for domestic assistance or any other form of labor.
- Engage in special treatment of a child e.g. spending inappropriate special time with a child, inappropriately giving gifts, showing special favors to them but not other children, allowing the child to overstep rules.
- Use physical punishment on children,
- Use any electronic equipment to exploit or harass children or access child exploitation material through any medium.
- Engage in testing of boundaries with a child e.g. undressing in front of the child, talking about sex, 'accidental' touching, for example, of the genitals.
- Misuse photographs for the purpose of exploiting children.
- Exchange personal contact details with children and have ongoing communication with them after my visit to the community with Habitat for Humanity.
- Visit or return to HFHIN communities/families I have previously visited, without the facilitation of Habitat for Humanity.
- Give gifts or special favors to a particular child or family member. This can appear to be grooming and shifting the power dynamic between you and the child and their family.

Children in Stories and Photos

I will ensure the appropriate use of children's images in my emails, donor updates and communications. As such:

- Obtain informed consent from the child AND parent or guardian of the child before photographing or filming a child. As part of this I must explain how the photograph or film will be used.
- All children must be appropriately dressed in images and concern for their dignity and respect will remain paramount at all times.
- An image must not be taken which could depict the child in a sexually suggestive manner.
- An image must not in any way include information which will identify the child.
- An image of a child should portray a truthful account of their situation.
- I will protect the identity and location of a child by not reporting their full names and exact location. HFHIN requires you to not publish surnames and village names when you communicate stories or display photos of children or adults.
- Assess and endeavor to comply with local traditions or restrictions for reproducing personal images before acquiring consent to photograph or film a child or adult.
- I will have GPS tracking turned off when taking pictures/video of children, so that when they are uploaded to social media the photo will not contain data that can be used to identify the location of the child.
- I will not add location mapping to any photos shared through Instagram, Facebook, Snapchat, Twitter and any other social media platforms.
- Use any computers, mobile phones, video cameras, cameras or social media appropriately and never to exploit or harass children or access child exploitation material through any medium.
- Ensure file labels, Meta data or text descriptions do not reveal identifying information about a child when sending images electronically or publishing images in any form.

- I have also read the HFHIN Policy on Use of Stories and Photos and agree to abide by its provisions.

I have read and familiarized myself with the HFHIN Child Protection Policy and Procedures and reviewed the HFHIN Child Protection Code of Conduct and I agree to adhere to these standards throughout my association with HFHIN. I understand that the onus is on me as a person associated with HFHIN, to use common sense and avoid actions or behaviors that could be construed as child exploitation and abuse.

Name of Declarant and Signature:

Date:

Name of Witness and Signature:

Date:

Appendix II: National Criminal History Record Checks

Criminal Background Checks.

Habitat for Humanity International Nepal conducts and accepts police checks via appropriately accredited providers.

Appropriately accredited providers of the national criminal history record checking services work in cooperation with the Nepalese Police Services, where relevant.

The majority of checks are completed within one business day unless (a) the check reveals a conviction or (b) someone with a similar name to the applicant has a conviction and the check is then manually processed **by each District police force** which can take approximately one to four weeks.

Applicants must sign the Child Protection Code of Conduct and provide a national criminal history record check to be eligible to volunteer on a program. HFHIN will keep the national criminal history record checks on file for three years.

If police checks are not attainable (particularly in instances where people from other countries are volunteering with HFHIN and a national criminal history record check equivalent is not available in their country) a Statutory Declaration needs to be signed that discloses any convictions, setting out the details of the offence. Checks are to be conducted for a person's citizen country and also for any country where a person has lived for the past 12 months in the previous 5-year period.

HFHIN has a process for reviewing and assessing national criminal history check Court Disclosures; see below for process and related form. **All Court Disclosures are required to be assessed using this form, irrespective of the offence and their potential Child Protection risk.**

Assessment Procedure for National Criminal History Check Disclosures

Habitat for Humanity International Nepal (HFHIN) has a process for reviewing and assessing national criminal history check Court Disclosures. In the event of disclosure of criminal record, this process determines whether it is appropriate for the individual with a Disclosable Court outcome to continue their involvement with HFHIN. HFHIN will assess the relevance of a person's criminal history to the inherent requirements of the position based on the condition outlined below. Having a criminal record does not automatically preclude an individual from participating in activities with HFHIN. HFHIN recognizes that national criminal history checks alone are not a rigorous or full assessment of suitability for a role and HFHIN will undertake a comprehensive assessment on a case-by-case basis of an individuals' involvement in the event of a national criminal history check Court Disclosure.

Name:
Position Applied for:
Details of Criminal History:
Date of Offence:
Seriousness of the conviction/s or offence/s and its relevance to the job in question: -
Whether in relation to the offence there was a finding of guilt but without conviction, which indicates a less serious view of the offence by the courts:
The age of the applicant when the offences occurred: -
Length of time since the offence occurred: -
Whether the applicant has a pattern of offences: -
The circumstances in which the offence took place, for example if it was an offence that took place in a work, domestic or personal context: -
Whether the applicant's circumstances have changed since the offence was committed (for example, past drug use): -

The attitude of the job applicant to their previous offending behaviour: -
Character, work and professional references: -
Other relevant mitigating circumstances: -

Action Taken: **Approved or not approved** application for position of (**insert position**)

HFHIN has determined that the inherent requirements of the activity (**list requirements of activities or association with HFHIN**), i.e. *participating in a project include:*

- *Travel overseas to a developing country*
- *Be part of a team*
- *Build in a community*

We decided that the nature of the offence **does or does not** impact the inherent requirements of the activity.

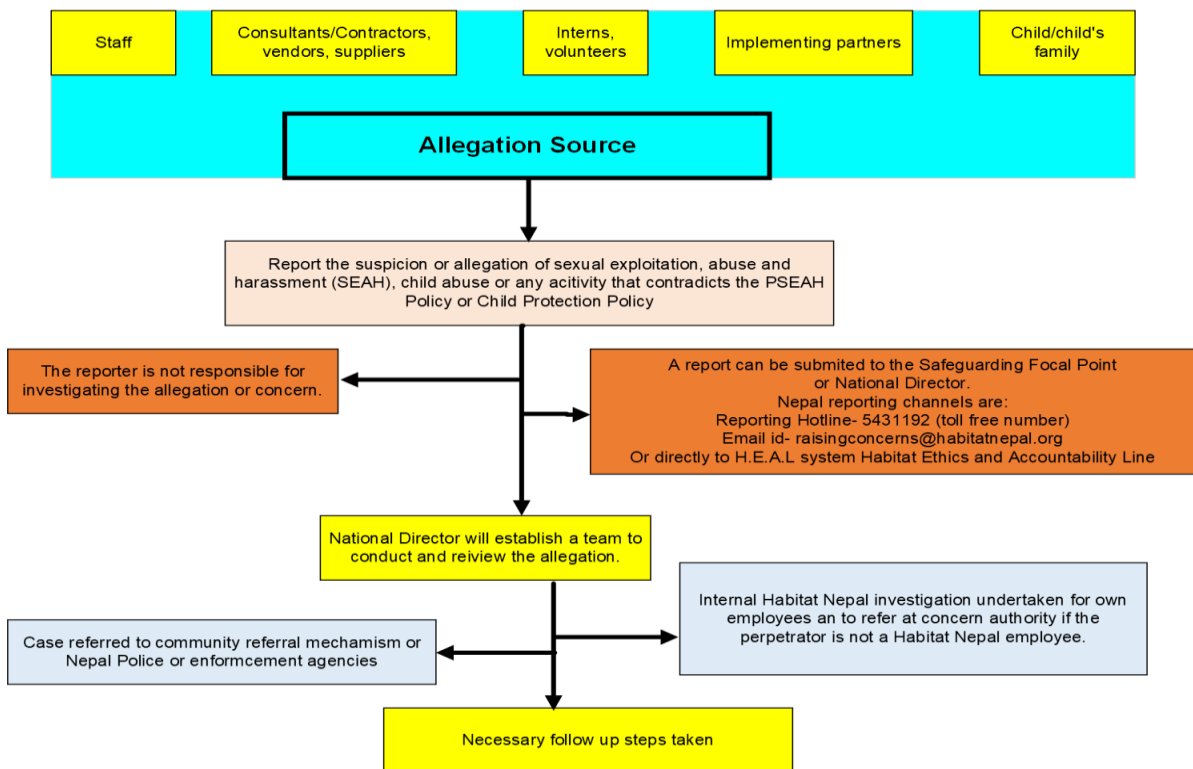
We would therefore like to **accept or deny** (full name of person) position on the (name of build/committee or activity).

Signature of ND or their representative:

Signature of Safeguarding Focal Point :

Signature of Relevant Functional Manager:

Appendix III: Process of Handling & Responding to Accusations of Child Abuse



Appendix IV: Reporting Form for Suspected Child Abuse or Policy Breaches

HFHIN REPORTING FORM FOR SUSPECTED CHILD ABUSE OR A CHILD PROTECTION POLICY BREACH

- This form is to be completed **immediately** after becoming aware of a potential breach of the Child Protection Policy.
- Once completed to the extent possible, send this report to the Habitat for Humanity International Nepal's Safeguarding Focal Point and ND.
- Until further directions have been passed on by the Safeguarding Focal Point and ND, ensure that all the information listed below remains **CONFIDENTIAL**. It is important that confidentiality is maintained when making a report (by reporting only to the designated person). Any breach in confidentiality can have negative effects on the child, their family, the complainant and the alleged offender.
- It is important to note that those who report suspected Child Abuse or Child Protection. Policy or Code of Conduct breaches are not required to investigate their concern.
- If you do not have all the information necessary to complete this form, please only complete the relevant sections based on the knowledge you have.
- All reports and complaints will be treated seriously, handled professionally, in confidence and in a timely manner. Procedural fairness will be applied and all decisions made will be in the best interests of the child.
- An alternate reporting mechanism is also available called Habitat Ethics and Accountability Line (HEAL). HEAL is a hotline and website provided by a third-party service. This system can be used when the reporter or complainant wishes to remain anonymous. Reports can be made online or via telephone 24 hours a day, 7 days a week:
 - Within the United States, call toll-free 1-800-461-9330
 - Outside the United States, call collect 1-800-763-983
 - Online at <https://app.convercent.com/en-us/LandingPage/499b0647-c9d1-e511-80cc-000d3ab1b4ff>

Part One: About You

Name:

Your role or association with Habitat for Humanity International Nepal:

Details of any other organization involved:

Your relationship to the child or young person concerned:

Part Two: About the Child(ren)/Young Person(s)

Name(s):

Sex:
Age:
Address:
Who does this young person(s) live with?

Section Three: Your Concerns
How did your concern arise? Was any form of abuse observed or suspected? Was any breach observed or suspected?
Was an allegation made by the child? Did the child or someone else disclose abuse to you? Who disclosed the policy breach? Date, time and place of any incident(s):
Describe the nature of your concern/allegation:
Observations made by you of the child's state (mental, physical, emotional) or observations made by you of the policy breach:
If you spoke with the child(ren) concerned, write down exactly what the child said, and what you said:
Any other relevant information?
Were other children either involved in the incident or aware of it?

Who else have you discussed or reported this incident to? When and where did this occur?

List any action that has been taken so far:

- *I declare that, to the best of my knowledge, the information listed above is true and accurate.*
- *I understand that it is my duty at all times to ensure that the rights of children are held paramount.*
- *I understand the serious implications in falsely accusing or reporting a HFHIN stakeholder of actual or suspected Child abuse.*

Completed by: _____

Date: _____

Signature: _____

Appendix V: Child Protection – Policy Implementation Checklist

– HFH Affiliates To be completed annually during a monitoring visit –

Q	QUESTIONS TO ASK	YES/NO	COMMENTS/EVIDENCE
1.	Please confirm the existence of safeguarding policies that govern the organisation's activities in relation to Child Protection (CP) and Prevention of Sexual Exploitation, Abuse & harassment (PSEAH)		
2.	Do these policies address minimum requirements of DFAT Safeguarding (CP and PSEAH) Policies (see below)?		
3.	Are these policies reviewed frequently? How often? (Please refer to most recent policy review checklist)		
4.	Are all staff familiar with the organisation's Safeguarding (CP and PSEAH) policies?		
5	Have all staff signed the Child Protection Code of Conduct?		
6.	Have downstream project partner organisation staff signed the Child Protection Code of Conduct? Which organisations?		
7.	Have all visitors to the project community/site as part of project activities signed the Child Protection Code of Conduct?		

8.	Is there a procedure in place for recording, investigating and acting against CP and PSEAH allegations?		
9.	Are thorough reference checks conducted for new staff? Are criminal history checks conducted?		
10.	Have there been any staff trainings on Safeguarding including Child Protection and PSEAH risks and issues? When?		
11.	<p>Are steps taken to ensure the appropriate use of images in all marketing activities and communications?</p> <ul style="list-style-type: none"> - Ensuring children are appropriately dressed - Ensuring no images are taken of children which could be viewed in a sexually suggestive manner - Ensuring that images truthfully reflect their situation - Obtaining child/guardian permission to take/use the photos 		
12.	Are there reporting mechanisms in place for monitoring child rights, child protection and PSEAH issues at project level?		
13.	Is there a Safeguarding/Child Protection/PSEAH Focal Point identified in the organisation?		

What is the name and position of the current Safeguarding Focal Point at the organisation?

Name:	
Position:	

Actions for follow up

Action Required	Person Responsible	Resources Needed	Completion Date

Checklist Completed by:

Name(s):	
Position(s)/ Organization:	
Date:	

MINIMUM STANDARDS for CP and PSEAH Policies

As a minimum, HFH Safeguarding (CP and PSEAH) policies and practices must support the following standards:

Child Protection (CP)

1. Regularly reviewed Child Protection Policy in place
2. Commitment to Child Protection
3. Reporting Procedure
4. Risk assessment and management
5. Child Protection Training
6. Safe Recruitment and screening with employment contracts to include right to suspend or terminate

Prevention of Sexual Exploitation, Abuse & Harassment (PSEAH)

1. PSEAH Policy in place that has expectations clearly communicated
2. Reporting and investigation procedures in place
3. Risk management processes that include PSEAH risks
4. Effective and regular PSEAH training in place
5. Recruitment, screening and employment processes that manage PSEAH risk
6. Prohibit transactional sex for all personnel while engaged in delivery of HFHIN business
7. Prohibit fraternisation for all non-national personnel while engaged in delivery of HFHIN business

Appendix VI: Child Protection Policy Checklist – HFHIN & Partners

This checklist has been developed by Habitat for Humanity International Nepal as a tool for partner organizations to develop their Child Protection Policy and supporting guidelines and procedures.

The purpose of a Child Protection Policy is to provide a statement of an organization's commitment to best practice in child protection. A Child Protection Policy:

- Demonstrates commitment to keeping children safe from harm and abuse
- Educates everyone about child abuse and the rights of children
- Provides a practical guide to the protection of children from abuse within the organization
- Supports staff and volunteers to work safely and positively with children.

The following checklist ensures that an organization's child protection policy meets the minimum standards for ACFID and DFAT Accreditation.

When to use this tool

The following tool should be used as part of the review cycle for Habitat for Humanity International Nepal's Child Protection Policy, every two years.

Habitat for Humanity International Nepal should use this tool in assessing the quality of our partner organization's Child Protection policies and procedures.

It must be updated to reflect changes in the ACFID or DFAT Child Protection Policies and changes in child protection legislation or other applicable legislation.

Habitat for Humanity International Nepal Child Protection Policy and Procedures Checklist Tool

Check information	
Policy Title	
Partner Organisation	
Date of check	
Check conducted by:	
Name	
Position	
Name	
Position	
Due date for agreed actions	

Item	Description Or Example	In Place	Partially In Place	Not In Place	Action Required To Meet Standard
Content	The policy and procedures must be consistent in scope and content with the Australian Council for International Development Code of Conduct and DFAT Child Protection Policy 2018 and related Guidance Notes, and HFHIN Child Protection Policy and Procedures and HFHIN Child Protection Code of Conduct.				
Title	Example: [Organisation] Child Protection Policy or Child Safe policy or Child Safe and Friendly Environment Policy				
Aim/Objective/Vision	A clear statement that sets out the main objectives of the policy including information about the organisation's philosophy regarding child protection				
Scope	Example: The Policy applies to staff, volunteers, visitors etc.				
Definitions	Include a definition of a child and the organisation's understanding and definition of child abuse, child rights and child protection				

Item	Description Or Example	In Place	Partially In Place	Not In Place	Action Required To Meet Standard
Code Of Conduct	<p>The Code must set out the appropriate boundaries and professional standards for working safely and respectfully with children and young people; This must be signed by all personnel implementing DFAT-funded activities. The DFAT Child Protection Policy provides a sample Code of Conduct called Child Protection – Professional Behaviours.</p> <p>The Code of Conduct must meet the universal child protection standards but also be culturally relevant. It can be translated.</p>				
Reporting Procedures	<p>The Policy must include reporting procedures which are known by personnel and partners and are applied in practice and cover/include:</p> <ul style="list-style-type: none"> • child exploitation and abuse suspicions and/or allegations • non-compliance with the code of conduct or policy 				

Item	Description Or Example	In Place	Partially In Place	Not In Place	Action Required To Meet Standard
	<ul style="list-style-type: none"> • sanctions that are/would be applied in the event of breaches • immediate reporting to DFAT where DFAT funds are involved • contact information to enable an external person to report. 				
Child Recruitment Procedures	<p>Safe</p> <p>These should include:</p> <ul style="list-style-type: none"> • Pre-employment screening procedures such as criminal record and verbal reference checks, targeted interview questions for staff and volunteers who will be working with children • additional screening measures such as behavioural-based interview questions for 'working with children' positions. Checks must be conducted for each country in which the individual has lived for 12 months or longer over the last 5 years, and for the individual's countries of citizenship 				

Item	Description Or Example	In Place	Partially In Place	Not In Place	Action Required To Meet Standard
	<ul style="list-style-type: none"> • A commitment that the organisation will not permit personnel to work with children if they pose an unacceptable risk to children's safety or wellbeing • A provision in all employment contracts that the organisation has the right to dismiss or transfer to other duties personnel who breach the child protection code of conduct. 				
Child Protection Training	Annual child protection training (which includes its reporting procedures) for personnel.				
Policy Review	Provision for policy review every two years				
DFAT Compliance	A statement must be included that says the organisation must comply with all child protection requirements stated in DFAT's funding agreements				
Child Protection/Safe Focal Point	The Policy can make an appointment for a person within the organisation who can act as a child protection contact point.				

Item	Description Or Example	In Place	Partially In Place	Not In Place	Action Required To Meet Standard
Child Protection Risk Strategy	The Policy or accompanying Guidelines includes a Child Protection Risk matrix and steps to identifying and managing child protection risks across all activities of the organisation, which will be regularly re-assessed.				
Positive Discipline	Positive discipline or safe behavioural management techniques can be included to guide staff working with children or providing support to parents.				
Safe internet, social media and email use	Safe internet and social media procedures can be included when staff or children/young people are using the organisations' computers or communicating with staff and children or young people via email, social media or SMS				
Relevant laws, child protection authorities and local	Attach relevant laws such as child protection, mandatory reporting, child protection authority contact numbers				

Item	Description Or Example	In Place	Partially In Place	Not In Place	Action Required To Meet Standard
reporting and referral details	and local reporting/referral contact details.				

Appendix VII: Child Protection Guidelines for Implementing Partners

Managing Child Protection Risks on Habitat for Humanity Projects

Why Child Protection?

Managing child protection risks effectively is critical to safeguarding the children and families who we work with, protecting our staff and volunteers, and protecting the reputation of Habitat for Humanity. Child protection risks need to be assessed as part of standard risk management processes at design, implementation, monitoring and evaluation stages – and managed throughout the lifecycle of an activity. Child Protection must be considered at the project level, as well as at the organisational level.

Habitat for Humanity *is* a child-focused organisation

Habitat for Humanity has zero tolerance for child abuse or exploitation in all its operations globally. HFH strives to be a child safe organisation at all times in all areas of operation. All organisations that work with families in communities where there are vulnerable children can be considered as working with children. HFH also engages children directly in program activities through programs such as youth build.

HFH's programs include several potential risk areas to children, including construction activities and sending volunteers into communities through various volunteering programs.

Understanding risk in your context

DFAT's Child Protection Risk Assessment¹ can help you to identify the overall child protection risk of your context by helping you to analyse:

1. The level of working with or contact with children in your programs.
2. Child protection controls you already have in place and the strength of these.

Through these steps, you can start to identify possible gaps in your existing child protection policies and systems and plan to address these.

¹ Also available at: <http://dfat.gov.au/about-us/publications/Pages/child-protection-policy.aspx>

Examples of common child protection risks in HFH programs

The table below includes some common potential risks from HFH programs. This list is intended as a reference to help you identify risks and possible actions to mitigate them. The list is not comprehensive, and you must consider at the start of each project or activity, what specific risks need to be considered and managed.

Project Activity	Potential Risks	Risk Mitigation
Construction activities	Children playing on construction site exposed to onsite hazards including tools or hazardous materials.	<ul style="list-style-type: none"> • Briefing to home partners and labourers at start of construction and monitoring by project staff. • Fence off dangerous build sites where possible.
	Children hired or used as labourers by local contractors	Brief contractors prior to signing contracts on HFH stance against child labour and monitoring by project staff.
	Children playing in area where construction materials delivered	Try to schedule deliveries during school hours and keep children away from the area where materials are being unloaded.
Training activity with child participants	Child left alone with trainer	Ensure all trainers working with children (whether they be HFH staff, local partners staff or community volunteers) have undergone internal child protection screening processes.
Staff/Volunteers have opportunity to spend time alone with children (Children may include project beneficiaries, community members, child GV volunteers	Child abuse perpetrated by a volunteer or staff member	<p>Prior to employment:</p> <ul style="list-style-type: none"> • All staff are screened through reference checks and police checks (where possible). • All staff are inducted on Child Protection Policy and sign Child Protection Code of Conduct. <p>Prior to GV volunteers visiting site:</p> <ul style="list-style-type: none"> • All volunteers screened through police checks (sending country).

Project Activity	Potential Risks	Risk Mitigation
eg youth build, school builds)		<ul style="list-style-type: none"> Volunteers briefed on Child Protection Policy and sign Code of Conduct (sending country).
Volunteers provide gifts to individual children or make available or provide alcohol and/or drugs.	Gift giving or the provision of drugs or alcohol provides opportunity for abusing children or grooming children for future abuse	During GV build/volunteer visit: <ul style="list-style-type: none"> GV Hosting staff and Team Leader remind volunteers of expectations under Code of Conduct as part of briefing. GV Hosting staff and Team Leader monitor behaviour of volunteers throughout build and take action immediately to address any of code of conduct breaches that occur, including reporting to GV Managers in hosting and sending Nos.
Staff/Volunteers have access to personal information about children	Volunteers return to visit child/family	<ul style="list-style-type: none"> Drugs or alcohol are not permitted under any circumstances on HFH projects or activities.
Stories and photos taken by volunteers and staff of children	Inappropriately clothed children included in photos	<ul style="list-style-type: none"> All staff and volunteers are briefed on Use of Stories and Photos Policy (or similar).
	Personal information of children made publicly available	<ul style="list-style-type: none"> Communications staff ensure photos/stories comply with these standards prior to publication, including ensuring appropriate consent is in place.
	Children's photos/information published without parent or guardian's permission	<ul style="list-style-type: none"> Volunteer photos are monitored by GV sending staff through social media feeds during and post build and volunteers are asked to remove any inappropriate photos. Geo-tagging switched off when taking. Photos to ensure locations cannot be easily identified.

Minimum Child Protection Compliance for HFHIN Funded Projects

HFHIN requires National Organisations (**NOs**) we work with to maintain certain minimum standards to be eligible to receive HFHIN funding. HFHIN also requires NOs to meet client protection standards which extend to children under SOE 6.1.6². These should be considered as industry standard, and all NOs are encouraged to have these systems in place across their organisation, regardless of funding source.

Child Protection Policy

1. The NO has a current Child Protection Policy and Code of Conduct (NB, NOs are encouraged to develop their own contextually relevant policies but can use HFHIN's Policy while their own policy is under development).
2. The Policy includes a clear process for recording, investigating and acting against child abuse allegations. This includes that any suspected or alleged abuse in an HFHIN supported project is reported to HFHIN immediately (NB other institutional donors may have similar requirements).
3. The Policy includes provision for regular review (recommended every 2 years).

There are many online resources available to support organisations to develop/review Child Protection Policies. A useful starting point is this guideline from ACFID and also the DFAT Child Protection Policy 2018 and related Guidance Notes.

The Child Protection Policy must reflect the following actions which are required to be implemented by each NO:

Child Protection Focal Point

4. Each NO has a staff member who is assigned the role of Child Protection Focal Point (generally an HR staff member) whose role it is to ensure implementation and review of the Child Protection Policy and to act as primary contact for any allegations made.

Staff Training and Recruitment

5. Recruitment processes include some screening of candidates for Child Protection (depending on what is possible locally - this could include police checks, reference checks, and questions during interview). Implementation and results of these processes must be documented by HR.
6. All new staff are inducted on Child Protection Policy and sign the Child Protection Code of Conduct on starting.
7. All staff receive annual refresher training on Child Protection.

Many child-focused NGOs are able to support implementation of local training if you don't have existing staff with this capacity. HFHIN has also developed training materials which are available on SharePoint and the Open Learning platform.

² The NO has established an Ethics Covenant and Code of Conduct to which each of its staff members, directors, and volunteers agrees to adhere, including conduct related to the protection of people in the communities in which we work from sexual abuse, corruption, exploitation, and other human rights violations. If working in communities through implementing partners or sub-contractors, the NO requires that those organizations similarly bind the conduct of their personnel.

Local Partners

8. All implementing partners are required to comply with the NO's Child Protection Policy as part of agreements signed.
9. Signed Code of Conducts are provided for all implementing partner staff working on HFH funded projects.

Project Implementation

10. Each project's risk management plan includes child protection risks relevant to the project and plans to mitigate them.
 11. Child protection risks are monitored by project staff as part of regular project risk monitoring and reporting.