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# CHILD PROTECTION POLICY

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# CHILD PROTECTION POLICY

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## INTRODUCTION

Free To Shine is firmly committed to ensuring the safety of children, in line with the United Nations Convention on the Rights of the Child (UNCRC). Australia ratified the UNCRC on 17 December 1990 and Cambodia on 15 October 1992. As a result, Free To Shine operates with a clear duty of care and upholds the four essential rights of every child:

- Right to Survival: Access to life, water, nutrition, and health.
- Right to Development: Access to education, care, recreation, and cultural activities.
- Right to Protection: Freedom from exploitation, abuse, and neglect.
- Right to Participation: The ability to express themselves and access information, thought, conscience, religion, and identity.

Adults working with or supporting children are recognised as holding positions of trust and authority. These relationships are not equal—children depend on adults for care and protection. This policy is designed to meet and exceed minimum child protection standards as set out by the UNCRC, Cambodian law, DFAT (Australian Government Department of Foreign Affairs and Trade), and ACFID (Australian Council for International Development). It provides a framework to prevent and manage child abuse risks in all Free To Shine activities. Free To Shine is dedicated to best practice in child protection and is non-denominational, with no religious bias or affiliation.

This Child Protection Policy is to be read in conjunction with the Free To Shine Child Protection Procedures. The Policy sets out the organisation's commitments, expectations, and responsibilities, while the Procedures provide detailed practical guidance on how these commitments are put into action in daily work. All employees and associates are required to be familiar with both documents and to follow them together to ensure the highest standards of child safety and safeguarding are maintained.

## STATEMENT OF COMMITMENT TO CHILD PROTECTION

Child protection is the core focus and mission of Free To Shine. As a child protection organisation, we are dedicated to preventing abuse, exploitation, and trafficking, and to creating safe environments where every child can thrive. The safety, wellbeing, and rights of children are central to everything we do.

Free To Shine is committed to the highest standards of child protection and safeguarding in every aspect of our work. We have a zero-tolerance approach to child abuse, exploitation, and harm and zero tolerance for inaction to prevent, report or respond. Free To Shine takes its duty of care seriously, including responding to reports and complaints, and aims at all times to provide the safest possible programs and environments for children. This applies to anyone associated with our organisation including board members, employees, volunteers, contractors, partners, and visitors. Everyone at Free To Shine shares the responsibility to protect children, uphold safeguarding standards, and act in the best interests of every child.

Our Child Protection Policy is built on, and guided by, the UNCRC, DFAT Child Protection Policy, and ACFID Code of Conduct. We are committed to:

- Embedding robust safeguarding measures across our programs, systems, leadership, and partnerships.
- Fostering a culture of inclusion, dignity, respect, and child participation.
- Providing clear standards, consistent training, and accessible reporting options for everyone involved.
- Taking prompt, fair, and transparent action to prevent, investigate, and address all concerns or breaches, while prioritising the safety and best interests of the child at all times.
- Holding anyone who breaches this policy accountable, including taking disciplinary action and referral to authorities when required.

- Continually reviewing and strengthening our policies, systems, and culture in response to feedback, learning, and in accordance with sector best practice.

Free To Shine will not knowingly engage anyone who poses a risk to children. Child protection is not just a requirement but the foundation and purpose of our work. Everyone associated with Free To Shine is expected to actively champion children's rights, dignity, and protection, in everything we do.

This policy is also written in child friendly, accessible language so that children know it exists to help keep them safe.

## 1. PURPOSE

This policy establishes clear standards and procedures to prevent and respond to all forms of child abuse, exploitation, and harm across Free To Shine's (FTS) operations, programs, and partnerships. Its objectives are to:

- Protect children, participants, staff, volunteers, partners, and the wider community from all forms of abuse, neglect, exploitation, and violence, in line with the United Nations Convention on the Rights of the Child and DFAT Child Protection Policy.
- Ensure that every board member, employee, volunteer, contractor, partner, and visitor understands their personal and shared responsibility to create an environment of respect, safety, dignity, and accountability for all children.
- Provide accessible and confidential ways for anyone to report child protection concerns- ensuring that every incident or allegation is managed quickly, fairly, and in accordance with child-centred, survivor-oriented principles.
- Require regular training for all staff, board, partners, and relevant stakeholders, and clear contractual obligations to reinforce best-practice child safeguarding at every level.
- Guarantee that any breach of this policy will result in timely and appropriate action, up to and including termination of employment or engagement, and referral to law enforcement or statutory authorities as required.
- Embed child safeguarding as a core value and practice across FTS's culture, governance, and program delivery.
- Promote accountability by monitoring and managing risks and ensuring compliance with the Policy.
- Report any incidents, allegations or suspicions of child exploitation, abuse and harm.
- Respond effectively to child protection reports, prioritising child victim-survivor rights and wellbeing and holding perpetrators to account.
- Comply with relevant Australian and Royal Government of Cambodia legislation.

## 2. SCOPE

Those who fall within the scope below are required to read, sign and adhere to the Free To Shine Child Protection Policy and Declaration of Commitment (attachment 1). This policy applies to all Free To Shine (FTS) '*Employees and Associates*' as defined below:

- All members of FTS's governing Board.
- All FTS employees, whether full-time, part-time, or casual.
- All volunteers (office-based, field-based, event-based), interns, and students on placement with FTS.
- Contractors, consultants, or service providers acting on behalf of FTS.
- Any organisations working in partnership with FTS.
- Any representatives acting in the name of FTS.
- Any visitors.

In addition, this policy applies to anyone providing services for FTS, and any member of the general public who is representing or raising funds on behalf of FTS or utilising FTS branding and resources.

FTS will not work in partnership with organisations or individuals who do not have appropriate procedures in place to protect and safeguard children. This policy covers all children encountered by FTS, whether or not they are direct beneficiaries.

### 3. RESPONSIBLE PARTIES

The Managing Director and Country Director are responsible for ensuring all new employees and associates are informed about this policy and that relevant annual training is provided and tracked. Every person covered must know and follow this policy and the Code of Conduct at all times, across all FTS activities, in Cambodia, Australia, or any other country where we operate. Everyone covered by this policy scope must:

- Read and familiarise themselves with the FTS Child Protection Policy
- Sign the Child Protection Declaration of Commitment (Attachment 1) before commencing their work, placement, or engagement.
- Adhere to the policy and conduct standards at all times.
- Complete all induction and ongoing training.
- Report any breaches or concerns using designated reporting channels.
- Help cultivate a safe, positive, and inclusive environment for all children.

### 4. CONSEQUENCES

Breaches of this policy will result in disciplinary action, including possible dismissal and referral to authorities where required. By engaging with FTS, all individuals accept and uphold these standards, helping to protect and empower children and communities.

### 5. RELEVANT LEGISLATION AND FRAMEWORKS

This policy is guided by, and operates in accordance with, the following legal and regulatory references:

- Cambodian Constitution (especially articles 41 and 42).
- Cambodian Labour Laws (1997).
- Civil Code of Cambodia 2007, Article 948 (Age of Consent).
- Government of Cambodia, Law on Suppression of Human Trafficking and Sexual Exploitation (2008).
- United Nations Convention on the Rights of the Child.
- Geneva Declaration of the Rights of the Child.
- International Labour Organization Convention 182.
- Free To Shine Code of Conduct.
- Australian Criminal Code Act 1995.
- Australian Crimes Act.
- DFAT standards.
- ACFID guidelines.

### 6. DEFINITIONS

<b>Child or Children</b>	Any individual under the age of 18, irrespective of local country definitions of when adulthood is reached. This is consistent with the UNCRC. Children retain inherent vulnerability and rights even if they have reached other local “ages of majority,” consent, or voting.
<b>Child Protection</b>	All actions, systems, and measures designed to prevent and respond to violence, exploitation, abuse, and neglect experienced by children, and

	to promote their welfare, rights, and safe development. It includes proactive prevention, early intervention, and procedures to ensure an organisation's processes do not (deliberately or inadvertently) cause harm to children.
<b>Child Abuse</b>	<p>Child abuse means any harm inflicted upon a child that negatively affects their physical or emotional development. Child abuse can happen to all children, of all genders, and of all ages. Abuse can be inflicted upon a child by an adult, a young person or another child. Types of abuse include:</p> <p>Physical abuse—the use of physical force against a child that results in harm to the child. Physically abusive behaviour includes shoving, hitting, slapping, shaking, throwing, punching, kicking, biting, burning, strangling and poisoning.</p> <p>Neglect—the failure by a parent or caregiver to provide a child (where they are in a position to do so) with the conditions that are culturally accepted as being essential for their physical and emotional development and wellbeing.</p> <p>Emotional abuse—a sustained pattern of verbal abuse and harassment that results in damage to a child or young person's self-esteem or social competence. It can take the form of name calling, threatening, ridiculing, constant criticism, belittling, intimidating or isolating the child or young person.</p> <p>Sexual abuse—the use of a child for sexual gratification by an adult or significantly older child or adolescent. Sexually abusive behaviours can include fondling genitals; masturbation; oral sex; vaginal or anal penetration by a penis, finger or any other object; fondling breasts; voyeurism; exhibitionism; and exposing the child to, or involving the child in, pornography.</p> <p>Ill-treatment—disciplining or correcting a child in an unreasonable and seriously inappropriate or improper manner; making excessive and/or degrading demands of a child; hostile use of force towards a child; and/or a pattern of hostile or unreasonable and seriously inappropriate degrading comments or behaviour towards a child.</p> <p><i>Note: the above includes a child or children being present (hearing or seeing) while a parent, sibling or other child is subjected to any of the above.</i></p>
<b>Child Exploitation</b>	<p>Exploitation refers to the use of children for someone else's advantage, gratification or profit often resulting in unjust, cruel and harmful treatment of the child. This may include one or more of the following:</p> <ul style="list-style-type: none"> <li>• committing or coercing another person to commit an act or acts of abuse against a child.</li> <li>• possessing, controlling, producing, distributing, obtaining or transmitting child exploitation material.</li> <li>• committing or coercing another person to commit an act or acts of grooming or online grooming.</li> <li>• using a minor for profit, labour, sexual gratification and trafficking.</li> </ul>

	<ul style="list-style-type: none"> <li>• forced labour or some other personal or financial advantage.</li> </ul>
<b>Child Abuse Material</b>	Material that depicts, expressly or implicitly, a child under 18 as a victim of torture, cruelty, physical, emotional, or sexual abuse, or otherwise exploits a child.
<b>Child Protection Officer (CPO)</b>	The designated staff member responsible for leading, coordinating, and advising on child safeguarding, including awareness-raising, training, risk management, and response.
<b>Digital harassment, exploitation, and abuse</b>	All forms of harassment, exploitation, and abuse perpetrated through digital technology, including online grooming, sexting, exposure to inappropriate material, and the online production, dissemination, or solicitation of child abuse material for commercial or personal gain.
<b>Grooming</b>	Deliberate actions taken to build a trust relationship with a child and/or their carers, for the purpose of facilitating sexual abuse or exploitation. Grooming can occur in person or online, and may include gift-giving, favouritism, inappropriate physical contact, sexualised language, or isolating a child from protective adults.
<b>Harm</b>	Any detrimental effect on a child's physical, psychological, or emotional wellbeing. Harm may be caused by physical, sexual, or emotional abuse, exploitation, neglect, or by organisational processes—whether intended or unintended.
<b>Age of Consent</b>	The age of consent is the minimum legal age at which a person can legally consent to sexual activity. This age varies by jurisdiction (e.g., state or country). By Cambodian law, the age of sexual consent is 15. The legal age for marriage is 18 (or 16 with parental consent). These do not alter international safeguarding standards, which recognise all people under 18 as children.
<b>Safeguarding</b>	The full range of measures, policies, and practices to prevent, identify, and respond to harm, abuse, or exploitation of children and vulnerable people. Safeguarding goes beyond protection from deliberate abuse to encompass minimising all risk of harm, creating a safe environment, and ensuring all activities do no harm.
<b>Survivor centred approach</b>	A response to violence or abuse that places the needs, wellbeing, dignity, choices, and rights of the survivor at the centre of all actions and decisions. This includes confidentiality, support, avoiding further harm, and empowering survivors to participate in processes that affect them.
<b>Working with Children</b>	Any activity (paid or unpaid) that reasonably involves direct contact with children as a normal function, not merely incidental or accidental.
<b>Child Victim-Survivor</b>	Child victim-survivor is a term used to describe a person under the age of 18 who is, or has been, abused, exploited or harmed. 'Victim-survivor' acknowledges both the harm suffered (victim) and the resilience or agency of the child in coping with the aftermath (survivor). This term emphasises a supportive, rights-based approach to addressing their needs and upholding their dignity throughout the reporting and response process.

## **7. GUIDING PRINCIPLES**

FTS is a child protection organisation, working to protect children from all types of abuse and exploitation. The following principles underpin all decisions, actions, and relationships across the organisation:

### **7.1 Zero Tolerance for Child Exploitation, Abuse and Harm**

FTS has zero tolerance for child exploitation, abuse and harm in all aspects of its work. Child exploitation, abuse, and harm are never tolerated. Failing to act on a suspicion or concern is itself a serious breach. All forms of exploitation or abuse—including sex trafficking, physical or emotional harm, neglect, online abuse, and child labour—are seen as acts of gross misconduct. Anyone found responsible will face disciplinary action, possible dismissal, and referral to authorities.

### **7.2 Prioritise the Best Interests of the Child**

The best interests, rights, safety, dignity, and wellbeing of each child are paramount in all actions and decisions at FTS. A “do no harm” approach guides all our work, ensuring we not only act to prevent harm but actively seek out and give weight to the views and experiences of children.

FTS believes that children have the right to express their views freely about matters affecting them, in ways that are safe and appropriate for their age, abilities, and culture. We are committed to providing genuine opportunities for children to participate in decisions that shape their lives and to having their voices listened to and taken seriously, in accordance with Article 12 of the United Nations Convention on the Rights of the Child.

This organisation does not support or condone the legal or ceremonial marriage of anyone under 18, nor encourage the marriage of beneficiaries under 25, regardless of cultural context. In every situation, the child’s voice and best interests must guide actions, planning, and program delivery.

### **7.3 Promote Inclusion and Equity and Recognise Diversity**

FTS and partners must be welcoming and inclusive of all children regardless of their circumstances, abilities, sex, gender, sexual orientation, ethnicity, age, displacement, and social, economic and cultural backgrounds. Efforts must address barriers to participation, protection, reporting and support such as language, safety, discrimination and accessibility.

### **7.4 Prioritise Prevention**

FTS and partners must be proactive in promoting the safety of children and minimising risks to children. Actions to protect children must be embedded in policies, programs, recruitment, staff training, and daily operations to minimise risks and protect children, both in physical and online spaces.

### **7.5 Adopt an Empowering and Participatory Approach**

FTS and partners must empower children to understand their rights, express concerns, and participate in decisions affecting them in ways that are age-appropriate, voluntary and safe. Families and communities must be engaged as partners in promoting child safety and wellbeing, fostering trust and enhancing collaboration.

### **7.6 Reporting Incidents is Mandatory**

FTS requires mandatory and immediate reporting of child protection concerns related to programs



and operations. Reporting and response mechanisms must be clear, accessible (including to children) and confidential. Reporting mechanisms must ensure that those who raise concerns are protected and that concerns are addressed effectively and in a timely and appropriate manner.

## **7.7 Embed Safeguarding into Organisational Culture and Leadership**

FTS and partners must embed child protection in governance, leadership and institutional culture. A strong safeguarding culture requires clear accountability, leadership commitment, investment of resources and continuous review and improvement of policies and practices.

## **8.0 CODE OF CONDUCT**

FTS has a Code of Conduct that defines what is appropriate and inappropriate behaviour for everyone working with or representing the organisation—including employees and associates. This Code of Conduct must be read alongside the Child Protection Policy.

FTS has zero-tolerance of child abuse, exploitation, and harm. All employees and associates are required to uphold the highest standards of professional and ethical behaviour at all times. These standards apply in every interaction involving children, whether at work or in the community, and through all forms of communication.

All employees and associated persons must adhere to strict standards of behaviour as outlined in the Child Protection - Professional Behaviour Standards (see Attachment 1 of Child Protection Procedures). These are designed not only to protect children participating in FTS's programs, but also to protect employees and others from accusations of inappropriate behaviour or abuse.

### **8.1 Expected Standards of Behaviour**

All FTS employees and associates must:

- Create and maintain an environment that ensures the physical, emotional, and social safety of children.
- Treat every child equally, with dignity and respect, regardless of their ethnicity, religion, age, ability, gender, sexual orientation, or economic circumstances.
- FTS employees must wear their staff uniform and carry identification at all times when representing FTS outside of the office. Volunteers and others must have identification documents when representing FTS.
- Maintain professional boundaries at all times, both in person and online.
- Encourage child participation in decisions affecting them, supporting their right to speak up and raise concerns.
- Whenever possible, work in the presence of another adult when engaging with children.
- Adhere to all relevant Cambodian and Australian child protection and labour laws.
- Immediately report any concerns, suspicions, or allegations of child abuse, exploitation, or policy noncompliance per FTS child protection reporting process (see the Child Protection Procedures, 10.1.3).
- Disclose any charges, convictions, or outcomes relating to child exploitation or abuse (including under traditional law) occurring before or during association with FTS.
- Undertake all actions mindful of possible misinterpretation and strive to avoid conduct that may be perceived as exploitative, abusive, or inappropriate.

### **8.2 Prohibited Conduct**

No FTS employees and associates shall, under any circumstance:

- Physically assault, discipline, or threaten a child.
- Verbally abuse, humiliate, intimidate, or emotionally harm a child.
- Use inappropriate, harassing, abusive, sexually provocative, or demeaning language,

behaviour, or gestures toward children—including via digital platforms.

- Behave in a manner (physical, verbal, written, or online) that could be interpreted as sexually provocative or inappropriate.
- Engage in, encourage, or initiate any form of sexual or intimate relationship with a child or with FTS clients or their family members, regardless of age or consent.
- Be alone with a child in an enclosed or private space, including virtual settings, except in accordance with approved procedures and with other adults nearby.
- Invite unaccompanied children into private accommodation or residences, except in emergency child protection situations.
- Sleep near unsupervised children unless absolutely necessary, without prior permission and another adult present where possible (except one's own children).
- Use technology (computers, phones, cameras, social media) to exploit or harass children, or to access, produce, or distribute child exploitation materials.
- Hire children for domestic or hazardous labour, or work which interferes with their education or risks their health.
- Seek, encourage, or involve a child in illegal, unsafe, or exploitative work.
- Exploit, use, or coerce a child for personal or others' gain.
- Influence or manipulate a child's religious, spiritual, or cultural beliefs.
- Enter into personal commercial exchanges (including gifts or money) with a child or their family outside approved procedures.
- Discriminate against or show favouritism toward any child or family based on age, gender, disability, vulnerability, socio-economic status, or sexuality.
- Have contact with children or families outside work duties or hours, except with written management approval.
- Transport a child on a motorcycle without proper safety or another staff member present, or in a vehicle/tuk tuk alone, unless approved in an emergency.
- Provide children with alcohol or drugs, or gifts other than items related to program activities.

### 8.3 Additional Obligations

All employees and associates must:

- Foster an open, participatory environment where children and communities are aware of their rights and feel safe to report concerns.
- Support and proactively contribute to regular policy training, compliance monitoring, and safeguarding updates.
- Cooperate fully with investigations and reviews regarding child protection.
- Model child-safe behaviours and intervene or report immediately if they witness or suspect harmful, unsafe, or non-compliant conduct by others.
- Support accessible and child-friendly communication of reporting mechanisms and professional standards.

## 9. REPORTING AND ACCOUNTABILITY

All employees and associates are required to promptly report any suspected or disclosed incidents of child abuse, exploitation, or policy breaches. See the *Child Protection Procedures* for detailed reporting steps and contacts.

Reports must be made within 24 hours, or sooner if the child is at immediate risk. Not reporting is itself a breach of this policy.

- Child Protection Report: Report must be made within 24 hours.
- Policy non-compliance: Report internally within five working days.
- Law enforcement: Where a report may constitute a criminal offence, report to authorities as soon as possible, per legal requirements and survivor wishes/consent (unless mandatory reporting laws override consent).

In case of uncertainty, seek confidential advice immediately from the CPO, Country Director or MD.

Reports may be made verbally or in writing through:

- In Cambodia: The CPO, or, if the CPO is unavailable/implicated, the Program Manager or Country Director.
- In Australia: The Managing Director, and if they are implicated, escalate to the Board Chair.
- Confidential designated email (report@freetoshine.org).
- Any employee (especially for children/youth), who must then ensure referral to the CPO without delay.

Note - A Child Protection Report Template is available in *Attachment 4* of The Child Protection Procedures.

## **10. REVIEW OF CHILD PROTECTION POLICY**

This policy will be reviewed every three years or when required due to changes in legislation or FTS requirements.