

Child Protection Policy

1. Purpose

This Child Protection Policy (the Policy), informed by a set of principles derived from the UN Convention of the Rights of the Child, provides the minimum standard for child protection related to the International Dzogchen Community of Namgyalgar (IDCN) work. The Policy provides practical guidance to prevent, and minimise the risk of child abuse and exploitation in all IDCN programs. IDCN will:

- Promote a child safe and a child friendly culture where everyone is committed to keeping children safe;
- Create an open environment where concerns for the safety and wellbeing of a child can be raised and managed in a fair and just manner, which protects the rights of all;
- Protect staff, volunteers, members, visitors and dependants from situations in which they may be at risk from false accusations or false perceptions of inappropriate dealing with children.

2. Scope

The Policy applies to all IDCN personnel including staff, volunteers, teachers, instructors, members, Gakyil members, program contractors (catering, childcare) and any other individuals or groups who are involved in IDCN sanctioned activities that will have direct contact with children (including their personal information and images). The scope of this policy also applies to organisations or people hiring Namgyalgar facilities.

3. Statement of Policy

The IDCN has a zero-tolerance approach to child abuse and exploitation and is committed to taking all necessary steps to ensure that all children with whom we work are always provided with a safe environment. The commitment to protect children against all forms of abuse and exploitation is embedded in the organisation's culture, and responsibility to act is understood and accepted at all levels of the organisation. The IDCN recognises that by the nature of our work, our operations may pose a risk to children, and to recognise the organisation's firm commitment to child protection in our work both in Australia, we have developed the Policy.

IDCN and its project partners are legally obliged to adhere to local¹ child protection laws, which prohibit the abuse and exploitation of children. These include the laws of Australia where IDCN implements programs, and international laws and Conventions that relate to all forms of child abuse

¹ Relevant National Australian legislation relating to sexual abuse of children includes:

- Criminal Code Act 1995, Division 474. This Act provides for a penalty of 10 years imprisonment for possession of child pornography depicting a person under 18 years of age, and up to 15 years imprisonment for online grooming of a person under 16 years of age.
- Crimes Legislation Amendment (Sexual Offences Against Children) Act 2010: This replaced the Crimes Act 1914 Part IIIA (Child Sex Tourism), and inserted expanded provisions previously contained in that part into new divisions of the criminal code: namely Divisions 272 and Division 273. Under this Act it is a crime for Australians to engage in, encourage, or benefit from sexual activity with persons under 16 years of age while overseas.

and exploitation.

4. Principles

IDCN's approach to Child Protection is guided by the following principles:

- 5.1 **Best interests of the child:** The best interests of the child shall be a primary consideration when dealing with the safety and wellbeing of a child.
- 5.2 **Zero tolerance of child abuse and exploitation:** IDCN has a zero-tolerance approach to child abuse and exploitation. IDCN will not knowingly engage personnel to be in direct or indirect contact with children, if they pose an unacceptable risk to children's safety. IDCN will take immediate action upon report of any suspected child abuse or exploitation.
- 5.3 **Shared responsibility:** Child protection is a shared responsibility. This means that the successful implementation of child protection measures relies on all IDCN personnel to uphold the principles of the Policy.
- 5.4 **Risk management approach:** IDCN has a duty of care to provide protective environments for children in all its programs and activities. Although it is not possible to eliminate risks of child abuse and exploitation, IDCN will identify, monitor and mitigate risks against in the assessment of its programs, operations and activities to reduce the risk of a child being abused, exploited or harmed.
- 5.5 **Working with Children Checks:** The IDCN is committed to undertaking recruitment and screening processes to ensure the engagement of appropriate personnel for delivering IDCN's programs in Australia. IDCN's recruitment and screening processes include working with children clearance from their home state for Australian-based teachers, instructors, program volunteers, Gakyil and paid staff and for anyone using the Namgyalgar facilities, running programs that directly engage with children.
- 5.6 **Transparency and Accountability:** IDCN will continually strengthen its internal child protection systems to improve accountability to our stakeholders, especially the communities with which we work. Specific child protection roles and responsibilities will be delegated to staff to embed child safe organisational practice across all IDCN programs, operations and activities. The IDCN will strive to ensure a child safe culture across the organisation, where any child protection issues and concerns including poor practice can be discussed and where necessary, acted upon by IDCN Gakyil and staff.

5. Definitions

Child (plural 'children'): In accordance with the United Nations Convention on the Rights of the Child, a 'child' means every human being below the age of 18 years.

Child Abuse: Child abuse may take one or more of the following forms:

Physical abuse

Physical abuse occurs when a person intentionally injures, or threatens to injure, a child. This may take the form of slapping, punching, shaking, kicking, burning, shoving or grabbing. The injury may take the form of bruises, cuts, burns or fractures.

Emotional abuse

Emotional abuse is a parent or caregiver's inappropriate verbal or symbolic acts toward a child or a pattern of failure over time to provide a child with adequate non-physical nurturing and emotional availability. Such behaviours are likely to damage a child's self-esteem or social competence.

Neglect

Neglect is 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 the child's physical and emotional development and well-being.

Sexual Abuse

Sexual abuse is when a child is used by another child, adolescent or adult for their own sexual gratification, or social and economic gain. Sexual abuse includes contact and non-contact activities which encompasses all forms of sexual activity (not only penetrative acts) involving children. Exposing children to pornographic images/video or taking pornographic photographs/videos of children are sexual abuse.

Child Protection: An activity or initiative designed to protect children from any form of harm, particularly arising from abuse or exploitation.

Child pornography: In accordance with the *Optional Protocol to the Convention on the Rights of the Child*, 'child pornography' means 'any representation, by whatever means, of a child engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a child for primarily sexual purposes.'

Online grooming: The act of sending an electronic message with indecent content to a recipient whom the sender believes to be under 16 years of age, with the intention of procuring the recipient to engage in or submit to sexual activity with another person, including but not necessarily the sender.

Particularly vulnerable children: Children who are particularly vulnerable to abuse, such as children with physical and mental disabilities, homeless children, child sex workers and children impacted by disasters and conflict.

Staff: Persons either employed by an organisation or engaged by an organisation on a subcontract basis (including paid and volunteer staff).

Volunteers: Persons engaged by an organisation on a voluntary or unpaid basis.

Working with Children: Working in a position that involves regular contact with children, either under the position description or due to the nature of the work environment.

6. Related Documents

1. [Complaints & Dispute Resolution Policy](#)
2. [Complaints & Dispute Resolution Procedure](#)
3. [Reporting Form](#)
4. [Privacy Policy](#)
5. [Code of Conduct](#)
6. [Prevention of Sexual Exploitation and Harassment Policy \(PSEAH\)](#)
7. [Equal Opportunity and Anti-Discrimination Policy](#)
8. [Whistleblowing Policy](#)

7. Version Control.

IDCN will review and update this policy every three years, unless changes are required earlier, to ensure relevance and applicability.

	Updated By:	Reviewed By:	Approved By:	Next review date:
Person	Eleanor Loudon	Administration Officer	Gakyil	
Date	21/7/2023			