

Children and Vulnerable Persons Policy

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Purpose

1. Greenpeace Australia Pacific Limited (**GPAP**) is committed to promoting and protecting the welfare and human rights of people that interact with, or are affected by, our work - particularly those that may be at risk of abuse, neglect or exploitation. We have no tolerance for abuse, neglect or exploitation.
2. All people, regardless of their age, gender, race, religious beliefs, disability, sexual orientation, or family or social background, have equal rights to protection from abuse, neglect or exploitation.

3. As a campaigning organisation that does not generally provide services or benefits to individuals, the areas in which our People are most likely to have a role to play in protecting Vulnerable People from abuse, neglect or exploitation is in connection with campaign activities or fundraising where we come into contact with Vulnerable People, or when Children volunteer at GPAP. This Policy focuses on those areas.

Definitions

4. In this policy the following words have the following meaning:
 - a. **Abuse, neglect or exploitation** means all forms of physical and mental abuse, exploitation, coercion or ill-treatment. This might include, for example:
 - i. Sexual harassment, bullying or abuse;
 - ii. Sexual criminal offences and serious sexual criminal offences;
 - iii. Threats of, or actual violence, verbal, emotional or social abuse;
 - iv. Cultural or identity abuse, such as racial, sexual or gender-based discrimination or hate crime;
 - v. Coercion and exploitation;
 - vi. Abuse of power.
 - b. **Children/Child** refers to persons under 18 years of age.
 - c. **Employees/Employee** means salaried employees of GPAP (or of another entity within the Greenpeace network seconded to work in Australia or the Pacific) whether full time, part time, permanent, contracted or casual, but does not include third party contractors or Volunteers.
 - d. **Fundraiser** means a person raising funds on behalf of GPAP and at the direction of GPAP and includes Employees, Volunteers and contractors.
 - e. **People** means Employees, Volunteers and contractors under the direction of (deployed by) GPAP and members of the Board of Directors.
 - f. **Volunteer** means a person who gives their time to GPAP willingly in support of its Objectives without expectation of pay or the creation of an employment relationship but for the purposes of this policy does not include a member of the General Assembly.

- g. **Vulnerable Person** refers to a person who is or may be unable to take care of themselves, or to protect themselves against harm or exploitation by reason of age, illness, trauma or disability, and includes a Child. Common examples of people in vulnerable circumstances can include people:¹
- with intellectual disabilities that affect comprehension or understanding
 - with physical or mental health issues (permanent or temporary)
 - who don't fully understand the language the fundraiser is speaking
 - experiencing financial difficulty
 - experiencing stress or anxiety (including that induced by a request for a donation)
 - under the influence of alcohol or drugs
 - who are unable to care for themselves (especially those who rely on the support or care of a charity), and
 - who are elderly and are experiencing any of the above (especially those without close support).

Scope and Operation

5. This policy applies to all People when they are acting in connection with their employment, contract or volunteer role with Greenpeace Australia Pacific.
6. This policy is a Greenpeace Australia Pacific Integrity Policy.
7. A copy of this Policy must be made available to all People.
8. A requirement to comply with this Policy must be included in all contracts with all persons and businesses contracted to supply services to Greenpeace Australia Pacific.
9. This code does not apply to members of the General Assembly who are not Board Members. A separate General Assembly Code of Conduct applies to members of that body.

Policy

10. All People must respect all persons and treat them equally regardless of gender, race, religious or political beliefs, age, physical or mental health, sexual orientation, family and social background and culture, economic status or criminal background.
11. All People must comply with the Vulnerable Persons Code of Conduct, below.

¹ <https://www.acnc.gov.au/tools/guides/fundraising-charities-and-people-vulnerable-circumstances>

12. All People must immediately disclose to a People and Culture representative any charges, convictions and other outcomes of an offence that relates to any abuse, neglect or exploitation of a Vulnerable Person, including under traditional law, which occurred before, or during their association with GPAP.
13. GPAP considers the abuse, neglect and exploitation of Vulnerable Persons to be completely unacceptable. We will take all concerns and reports of such conduct and act on these reports immediately.

Child Safety Officer

14. The Leadership Team will appoint at least one person to the role of Child Safety Officer and ensure that position is filled by at least one person at all times. The person(s) appointed to the role must:
 - a. Have a current Working With Children Check (WWCC) issued in the state in which they live and maintain their WWCC during their role as Child Safety Officer;
 - b. Be an Employee who has been employed by GPAP for at least 12 months prior to their appointment;
 - c. Be an Employee who has demonstrated a capacity and concern to interact responsibly and compassionately with Supporters, Volunteers and Vulnerable Persons;
 - d. Be an Employee who has not been found during their Employment to have breached an Integrity Policy.
15. Where a Child Safety Officer is not available to attend a particular activity or event, the Leadership Team may appoint another Employee that meets the criteria in [11] to act as a temporary Child Safety Officer for the activity or event.
16. Greenpeace Australia Pacific will provide Child Safety Officers with appropriate training to ensure they remain up to date with best practice as regards the protection of Children and Vulnerable Persons.

Working With Children Checks

17. All Creative Confrontation Employees, the Volunteer Coordinator, and any other Employees who may be working with Vulnerable People in their roles must obtain and maintain a WWCC in the state in which they reside, which includes a National Police Check.

18. Greenpeace Australia Pacific will meet the cost of all such checks.
19. The completed Check must be provided to a GPAP Child Safety Officer before the Employee undertakes any work with people who may be Vulnerable People.
20. The Child Safety Officer(s) will take any steps necessary to verify WWCCs provided to them (by scanning the QR code provided or checking the relevant register online), keep a copy of each WWCC and maintain a confidential and secure Staff Working With Children Checks schedule including the WWCC number, issuing state and expiry date.

Involvement of Children in GPAP Activities

21. Children are not permitted to participate in GPAP activities including as Volunteers without the signed consent of a parent or guardian.
22. Children under the age of 16 are not permitted to participate in GPAP activities including as Volunteers without the participation of a parent or guardian.
23. Children under the age of 18 are not permitted to participate in GPAP actions.
24. GPAP will not employ persons under the age of 18 years as Employees without approval from the Chief Operating Officer, who will take advice from General Counsel to ensure compliance with any applicable laws governing employment of minors.
25. Where a Child is involved in a GPAP activity:
 - a. The ratio of People to the Vulnerable Person must always be 2:1 or more (the Vulnerable Person must not be left alone with only one other person);
 - b. People are not permitted to dispense medication to Vulnerable Persons, who must supply and dispense any medication themselves.
 - c. The Child Safety Officer is responsible for:
 - i. providing information and support to all People, Children and their carers regarding the Children's involvement;
 - ii. the supervision, safety and wellbeing of such Children if a carer is not present, in accordance with this policy and Greenpeace Australia's legal and moral obligations.
26. All People are responsible for identifying risks (including physical and cultural) at GPAP that may affect the safety or wellbeing of Vulnerable Persons and consult a Leadership Team member (or in the case of a contractor, the person who signed their contract) to

ensure that strategies are in place to mitigate these risks. For example, where an upcoming activity may involve interacting with Children, thought should be given to whether GPAP Employees involved (in addition to those referred to in [11]) should be required to obtain Working with Children checks, and whether any further procedures or training is warranted to protect Vulnerable Persons, and these measures should be discussed with and decided upon by a Leadership Team member.

Children and Vulnerable Persons Code of Conduct

27. No person shall:
- a. shame, humiliate, oppress, belittle or degrade Vulnerable Persons;
 - b. unlawfully discriminate against Vulnerable Persons;
 - c. engage in any activity with a Vulnerable Person that is likely to physically or emotionally harm them;
 - d. initiate unnecessary physical contact with a Vulnerable Person, or do things of a personal nature for them that they can do for themselves;
 - e. develop a 'special' relationship with a specific Vulnerable Person for their own needs;
 - f. show favouritism through the provision of gifts or inappropriate attention;
 - g. arrange contact, including online contact, with Vulnerable Persons outside of the organisation's programs and activities;
 - h. photograph or video Vulnerable Persons without their consent or the consent of their parents or guardians;
 - i. work with Vulnerable Persons while under the influence of alcohol or illegal drugs;
 - j. engage in open discussions of a mature or adult nature in the presence of Vulnerable Persons;
 - k. use inappropriate language in the presence of Vulnerable Persons;

Fundraising

28. Fundraisers must:

- a. Not knowingly accept or solicit donations from persons they reasonably believe to be Vulnerable Persons, on the basis that they may not have the capacity to make informed decisions about donating. Donors can, however, make gifts in their children's name.
- b. Be aware of common signs of vulnerability and act with considerable care when interacting with people who may be in vulnerable circumstances. Common signs that a person may be in a vulnerable circumstance can include:²
 - i. a lack of comprehension of what is being said
 - ii. continually asking for statements or questions to be repeated
 - iii. making statements that indicate others look after their affairs (for example, "my son/daughter normally looks after these matters for me")
 - iv. responses that indicate the person does not fully understand the language being spoken
 - v. any expressions of being uncomfortable, stressed or anxious
 - vi. irrational, confusing or erratic responses to simple statements or questions
 - vii. excuses to not talk or interact
 - viii. a reliance on the immediate care of caregivers or community support organisations, and
 - ix. eagerness to donate (sometimes large sums of money) without sufficient knowledge of the cause or without asking the types of questions a regular donor would in the same situation.
- c. Take particular care to treat people who they reasonably believe to be Vulnerable Persons fairly, including by:
 - i. Speaking clearly and slowly; using terms that the person can understand; making it clear who the caller represents; repeating important pieces of information; and checking throughout the interaction that the person understands and is happy to continue;³

² <https://www.acnc.gov.au/tools/guides/fundraising-charities-and-people-vulnerable-circumstances>

³ <https://www.acnc.gov.au/tools/guides/fundraising-charities-and-people-vulnerable-circumstances>

- ii. Discontinuing any discussion about donating (or if the person is insistent about donating, suggesting the person take further time to reflect on the decision); and
 - iii. Redirecting the conversation to sharing campaign information; and
 - d. Comply with the FIA Code.
- 29. GPAP must take every reasonable measure to ensure its fundraising campaigns do not target or include Children, including by:
 - a. Where Greenpeace Australia Pacific has contact lists which contain date of birth data, not calling Children;
 - b. Where Greenpeace Australia Pacific purchases call lists, ensuring they contain date of birth data so that Children can be excluded from fundraising campaigns;
 - c. Where Greenpeace Australia Pacific conducts donor solicitation marketing on social media platforms, wherever possible restricting the audience to persons 18 years and over; and
 - d. Ensuring all communications (including webpages) which solicit donations specify that donors must be over 18 years of age.
- 30. All contracts with telefundraising agencies must require the agency to ensure that it and its Fundraisers:
 - a. comply with this policy;
 - b. Comply with the [Fundraising Institute of Australia Code \(FIA Code\)](#); and
 - c. do not knowingly accept or solicit donations from Vulnerable Persons.

Photography

- 31. When photographing or filming a person reasonably believed to be a Vulnerable Person, or using their image for work-related purposes, Employees must:
 - a. obtain informed and documented consent of the Vulnerable Person and their parents or guardians before photography/filming (using a Participant Release template approved by General Counsel in PandaDoc);
 - b. provide an explanation on how the photograph/film will be used;

- c. ensure photographs, films, videos and DVDs present Vulnerable Persons:
 - i. in a dignified and respectful manner and not in a vulnerable or submissive manner;
 - ii. adequately clothed and not in poses that could be seen as sexually suggestive;
 - iii. are honest representations of the context and facts;
 - iv. are free from file labels, meta data or text descriptions which reveal identifying information about a Vulnerable Person when sending images electronically or publishing images in any form; and
 - v. respect local traditions or restrictions for reproducing personal images; and
 - d. Generally observe the [Greenpeace International Global Visual Guidelines](#) which include photography guidelines and provides that:
 - i. We should accurately represent the environment and people in their reality, and with integrity.
 - ii. We strive to empower them by showing agency and resilience. Avoid stereotypes and representing people as 'victims'.
 - iii. Use of images of people should be in accordance with permission granted.
32. When using photographs or recordings of public spaces, such as at protest marches, images should not be used for commercial use (ie fundraising) unless Greenpeace Australia Pacific has obtained informed and documented consent using the Participant Release for the persons in the photographs/recordings.

Reporting

- 33. It is mandatory for all People to report concerns about compliance with or and allegations of breaches of this policy to an Integrity Officer or the Executive Officer.
- 34. All such concerns and allegations will be dealt with in accordance with GPAP's Unacceptable Conduct, Unsatisfactory Performance and Grievance Policy.
- 35. All People are obliged to report any suspicion of a criminal offence to the police or the relevant criminal judicial body.

Other Relevant Resources

36. [GPAP Code of Conduct](#)
37. [GPAP Protocol for Handling Suspected Integrity Violations](#)
38. [GPAP Enterprise Agreement](#)
39. [GPAP Whistleblower Policy](#)
40. [Greenpeace International Global Visual Guidelines](#)
41. [National Principles for Child Safe Organisations](#)
42. [Australian Charities and Not-for-Profits Commission Regulation 2013, Reg 50.35, External Conduct Standard 4 - Protection of Vulnerable Individuals](#)
43. [ACNC 'Governance Toolkit: Safeguarding Vulnerable People'](#)
44. [Fundraising Institute of Australia Code](#)