

## **Nusatenggara Association Incorporated**

# **Human Rights Policy**

(incorporating Child Protection Policy and Gender Equality Policy)

v1.0 July 2018

### **Preamble**

The mission of the Nusatenggara Association, Inc (NTA) is to alleviate the worst poverty in the province of Nusa Tenggara Timur, Indonesia. The NTA sponsors economic and social development activities selected by our sponsored communities, ranging from building water tanks and wells, through providing farming equipment and training to local farmers, to supplying books for schools and training local teachers. We employ and provide training to over twenty Indonesian staff in West Timor and Flores. Several of our programs involve interaction with children and all of our programs impact children either directly or indirectly.

### **Application**

The Nusatenggara Association Incorporated (NTA) is an international development agency that respects, protects and promotes human rights for all, regardless of race, religion, ethnicity, indigeneity, disability, age, displacement, caste, gender, gender identity, sexuality, sexual orientation, poverty, class, or socio-economic status.

### **NTA's Commitment to Human Rights**

NTA is committed to the inclusion and representation of those who are vulnerable and those who are affected by the intersecting drivers of marginalisation and exclusion, including not restricted to race, religion, ethnicity, indigeneity, disability, age, displacement, caste, gender, gender identity, sexuality, sexual orientation, poverty, class and socio-economic status (not just gender and disability)

NTA is committed to working with Partners, primary stakeholders and all other stakeholders in mutually respectful ways.

With all programs NTA conducts analysis of the context in which they are working in order to identify the risks that primary stakeholders face with regards to discrimination, violence, abuse, exploitation or neglect and develop strategies to prevent or mitigate this. Through the delivery of its programs NTA will do all that it reasonably can to avoid exposing people to further harm.

### **NTA's Ethical Decision-Making Framework**

NTA is committed to the use of images and messages in communications in a way that portrays the affected people in a manner that respects their dignity, values, history, religion, language and culture, and is authentic to the context, person and terms of consent given.

NTA's approach is also codified in the:

- NTA Human Resources Policy;
- NTA Privacy Policy; and
- ACFID's Fundraising Charter (8.1.2).

## **Strategies to Mitigate the Risk of Harm**

NTA is committed to mitigate the risk of harm to primary stakeholders, including children and people with disabilities. NTA's approach is detailed in a number of human rights-related policies.

## **Human Rights-related Policies**

NTA's commitments to respecting, protecting and promoting human rights for all, are espoused through a series of policies and/or guidelines:

Policies contained within this Policy:

- Child Protection Policy
- Gender Equality Policy
- Inclusion of People with Disabilities.

Policies contained with NTA's HR Policy:

- NTA Code of Ethics
- Occupational Health and Safety
- Bullying, Unacceptable Behaviour and Violence in NTA Activities
- Sexual Harassment
- Misconduct
- Corruption, Fraud and Bribery Policy
- Grievance Policy

Standalone Policies:

- Privacy Policy
- Whistleblower Policy
- Complaints and Complaints Handling
- Environmental Sustainability Policy.

## **Sustainable Development Goals and Related Human Rights**

NTA is committed to aligning development and humanitarian initiatives with the realisation of human rights obligations to enhance the legitimacy and effectiveness of our work to protecting primary stakeholders from discrimination, violence, abuse, exploitation or neglect.

NTA's Development and humanitarian initiatives link to a number of human rights.

NTA's work around income generation and food security contributes to several human rights related to Sustainable Development Goals (SDGs)<sup>1</sup> :

- Right to adequate food
- Right to enjoy the benefits of scientific progress and its application

NTA's work around Water & Sanitation contributes to several human rights related to SDGs:

- Right to an adequate standard of living
- Equal rights of women in economic life

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<sup>1</sup> [https://www.ohchr.org/Documents/Issues/MDGs/Post2015/SDG\\_HR\\_Table.pdf](https://www.ohchr.org/Documents/Issues/MDGs/Post2015/SDG_HR_Table.pdf)

- Right to health

NTA's work around Education contributes to several human rights related to SDGs:

- Right to education
- Right to safe drinking water

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## Child Protection Policy

### Our Commitment to Protect Children

The NTA's work and interactions with children is underpinned by the United Nations Convention on the Rights of the Child (UNCRC), which states that children should be protected from all forms of physical and mental violence, injury, abuse, neglect, maltreatment and exploitation, including sexual abuse. The NTA's commitment to child protection is supported by Indonesia's ratification (1990) of UNCRC, including (2012) ratification of the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography. NTA is committed to upholding these rights.

### Purpose and Guiding Principles of this Child Protection Policy

NTA considers any form of child abuse and exploitation unacceptable. As a signatory to the ACFID Code of Conduct, NTA has policies and procedures implemented which promote the safety and well-being of all children involved in its programs and activities, in particular to minimise the risk of abuse to children.

### Scope of this Policy

This policy applies to NTA staff (Indonesia and Australia-based), NTA Board members, project visitors (volunteers and consultants retained by NTA), who have contact with children in NTA's area of operations, and staff of partner organisations of the NTA.

### Definitions

The following terms are used throughout this policy:

1. **Children / young people:** those under 18 years of age.
2. **Child abuse:** Abuse happens to male and female children of all ages, ethnicity, social backgrounds, abilities, sexual orientation, religious and political beliefs. Child abuse includes physical abuse (deliberate injury of a child), sexual abuse, emotional abuse (where a child is repeatedly rejected or frightened by threats), neglect, bullying, child labour and domestic violence.
3. **Child protection:** the term used to describe the responsibilities and activities undertaken to prevent or stop children being abused or mistreated.
4. **Partner organisation:** any organisation, government or non-government, that carries out work on NTA's programs and projects, including official partner organisations:
  - a. Flores Community Development Foundation / *Yayasan Pengembangan Masyarakat Flores* (YPMF);
  - b. Semau Island Community Development Foundation / *Yayasan Pengembangan Masyarakat Pulau Semau* (YPMPS); and
  - c. NTA Indonesia.

### **Child safeguarding risk management**

NTA staff and NTA's partner organisations must consider risks posed to children in the delivery of our programs. We recognise that risks to children are particularly high when:

- Staff are not screened or supervised adequately;
- Children are very young, or have been abandoned or orphaned;
- The areas in which children live are particularly isolated; and
- Activities involve one-to-one contact.

NTA staff and partner organisations in particular must continually assess risks to children (whether formally or informally) and actively minimise opportunities and situations where children can be harmed.

NTA assesses and monitors risk in relation to child safeguarding by:

- In-field consultation and observation;
- Discussion with managers in-country; and
- Enabling the reporting of incidents in as child-friendly an environment as possible.

### **NTA Code of Conduct for working with children**

The NTA Code of Conduct for working with children is as follows:

All personnel covered by the scope of this policy will:

- Treat all children and young people involved with NTA activities with respect, listen to and value their ideas and opinions;
- Provide a welcoming, inclusive and safe environment for all children and young people;
- Encourage children and young people to speak up about issues that affect them;
- Refrain from using corporal punishment on children;
- Treat any disclosure of, or concern about child abuse seriously, listening without intrusive questioning, and without minimising or dismissing the child's concerns;
- Immediately report concerns or allegations of child abuse to their manager or the NTA CEO;
- Comply with local, national and international child protection laws;
- Ensure that, whenever possible, another adult is present when working with children, or in the proximity of children;
- Advise his/her supervisor/manager if they are investigated for any crime or charged with any criminal offence relating to children;
- In photographic work, obtain verbal consent (and written consent where possible) from children and/or their parent or guardian and explain how the photograph or film will be used;
- Ensure photographs, films, videos and DVDs present children in a dignified and respectful manner and not in a vulnerable or submissive manner;
- Ensure the identities of children and young people in photographic and electronic images are not disclosed; and
- Ensure photographic files depicting children are stored securely.

All personnel covered by the scope of this policy will **not**:

- Use inappropriate language – whether of an offensive, discriminatory, demeaning, abusive or sexual nature – when speaking with or whilst in the presence of a child or young person;

- Engage in behaviour to shame or humiliate a child or young person, or otherwise emotionally abuse a child or young person;
- Act in a sexually provocative manner or engage children in any form of sexual activity
- initiate unnecessary or inappropriate physical contact with a child;
- Condone or participate in, behaviour with children which is illegal, unsafe or abusive;
- Discriminate against or in favour of particular children to the exclusion of others;
- Hire children for domestic or any other labour which is inappropriate for their age or development, interferes with their education or play, or places them at risk of injury;
- Do things for children of a personal nature that they can do for themselves such as toileting them or changing their clothes;
- Sleep in close proximity to any children unless it is absolutely necessary, in which case they will keep their manager informed and ensure another adult is present, where possible;
- Access or create sexually abusive images of children;
- Use computers, mobile phones, video or digital cameras or any other technology for the purpose of exploiting or harassing children;
- Provide gifts to children; nor
- Provide alcohol or drugs to children.

All NTA staff (Indonesia and Australia-based), NTA Board Members, volunteers and consultants retained by NTA who have contact with children in NTA's area of operations, and staff of partner organisations of the NTA are required to sign a document stating their adherence to NTA's Child Protection Code of Conduct. This form is attached at [Annex A](#).

### **Use of children's images**

NTA will at all times portray children in a respectful and dignified way. A child and where possible the child's family must always be asked for consent when taking their images and provided details on how and where their image will be used.

### **Employment of staff and volunteers**

All personnel included in the scope of this policy, who are in contact with children, must undergo the following as part of the recruitment process:

1. Criminal record checks before engagement; statutory declarations of local legal equivalent where criminal record checks are unavailable or unreliable.
2. Verbal (and not written) referee checks.
3. Behavioural-based interview questions.

### **Child safeguarding incident reporting procedure and complaints handling procedure**

NTA will take all reports of child abuse seriously and act on these reports immediately. The NTA CEO is the focal person for child protection incident reporting.

NTA's child safeguarding incident reporting procedure and complaints handling procedure, which aligns with principles of privacy and promotes safety and dignity, is as follows.

Any disclosure or allegation from a child or staff member regarding the safety, abuse or exploitation of a child must be reported immediately. For Indonesian staff, a report should be made to the person's manager, who will then report to the NTA CEO. NTA will endeavour to ensure its complaints handling process is as child-friendly as possible.

If this is not possible, a report can be made directly to the NTA CEO. For Australian staff, child abuse reports should be made directly to the CEO.

In Australia, if there is an allegation or suspicion of child sexual abuse being committed by an NTA staff member or volunteer or an NTA-employed consultant, the matter will then be reported to the state police. The CEO will report any concerns about people engaging in child sex tourism, child sex trafficking and child pornography to the Australian Federal Police.

In Indonesia, once a report is made to a staff member's manager, all reports will be taken seriously and assessed using procedural fairness principles. If an Australian citizen / resident is reported in Indonesia, the matter needs to be referred to the AFP and the Indonesian Police.

NTA will ensure that all parties are treated fairly and that any employee who intentionally makes false allegations will face disciplinary action. Employees who make allegations or express concerns in good faith will not be penalised. All reports will be handled professionally, confidentially and expediently. All reports and the names of people involved will only be discussed between the manager, CEO, the NTA Indonesia or partner organisation director, the person involved and any relevant authorities.

NTA must notify the Department of Foreign Affairs and Trade (DFAT) of any reports associated with DFAT-funded activities.

### **Involving children and young people**

NTA will provide opportunities for children's views to be heard and incorporate their views into our policies and programs.

### **Educating on child abuse and the NTA Child Protection Policy**

NTA staff (Indonesia and Australia-based), NTA Board members, volunteers and consultants retained by NTA who have contact with children in NTA's area of operations, and staff of partner organisations of the NTA will all be provided with a copy of the NTA Child Protection Policy on commencing their association with NTA.

The NTA Child Protection Policy will be included in the NTA Field Manual distributed to participants in NTA's biannual monitoring visits. The child protection policy will be incorporated into the pre-departure briefing.

The NTA Child Protection Policy will be made available on the NTA website.

Basic training on child protection issues will be provided to NTA Board members, members of NTA's Board sub-committees and NTA partner staff.

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### **Gender Equality Policy**

The mission of the Nusatenggara Association, Inc (NTA) is to alleviate the worst poverty in the province of Nusa Tenggara Timur (NTT), Indonesia. The NTA sponsors economic and social development activities selected by our sponsored communities, ranging from building water tanks and wells, through providing farming equipment and training to local farmers, to supplying books for schools and training local teachers.

We employ and provide training to over twenty Indonesian staff in West Timor and Flores. The benefits of gender equality are well documented: when girls are educated it improves family planning, reduces maternal mortality, and improves the health of their children. When both women and men have access to economic opportunity it helps their families prosper, and the country's economy grow.

When both women and men participate in policy formulation and decision-making it leads to more responsive policies and decisions.<sup>2</sup> NTA recognises that designing initiatives that respond to and take account of the different needs and roles of women and men makes our projects and programs more effective and sustainable.

### **The NTT context**

NTT faces many challenges in the area of gender equality. NTT women's position in the household and the community is widely recognised as subordinate to that of men. According to the United Nations in Indonesia, inheritance goes to men<sup>3</sup>, and therefore women have lower access to capital and assets than men. Early marriage and early pregnancies are common. Chronic lack of energy and anaemia among mothers is reported at 64 per cent (the highest rate among all provinces in Indonesia) and maternal mortality rates are increasing<sup>4</sup>.

Further, 'limited access to education, assets and resources lead to women and girls being excluded from participation in ...decision-making processes'.<sup>5</sup> Men's decisions are not always used in the best interests of the family and the World Food Programme finds that 'their privileged position often weakens women's access to adequate food and nutrition'<sup>6</sup>.

However, the situation in NTA's areas of operations in Flores and West Timor demonstrates some quite positive aspects of society in relation to gender, such as the large proportion of women leaders of *kelompok* (community groups/collectives), particularly in Flores; active participation of women in NTA-funded activities; and active participation/leadership by women in *musyawarah* (NTA-sponsored community forums)

Female students tend to drop out of school starting from junior high school.<sup>7</sup> NTA's income-generating activities directly empower village women, making them less economically dependent and less likely to be subject to economic deprivation. Attention by the NTA to general food production has a direct effect on the welfare of women as malnutrition can disproportionately affects women and girls in situations where boys and men are given more of the available food. The NTA's program of building of water tanks and wells make access to water easier, thus improving the lives of women who are primarily responsible for carrying water. The NTA's provision of scholarships to school-aged girls through our school sponsorship program is a way of improving women's education outcomes.

### **Purpose and Guiding Principles of this Gender Equality Policy**

Gender equality is central to economic and human development. Equal opportunity for women and men supports economic growth and helps to reduce poverty. The NTA is strongly committed to supporting gender equality and women's empowerment in its activities among the rural poor of Nusa Tenggara Timur.

### **Scope of this Policy**

This policy applies to NTA staff (Indonesia and Australia-based), NTA Board members, volunteers and consultants retained by NTA Australia and NTA Indonesia.

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<sup>2</sup> <http://www.ausaid.gov.au/aidissues/Documents/thematic-strategies/gender-equality-strategy.pdf>

<sup>3</sup> Ibid

<sup>4</sup> [http://www.un.or.id/documents\\_upload/publication/NTT%20at%20a%20crossroads.pdf](http://www.un.or.id/documents_upload/publication/NTT%20at%20a%20crossroads.pdf)

<sup>5</sup> <http://www.un.or.id/en/where-we-work/geographic-focus/nusa-tenggara-timur>

<sup>6</sup> Ibid

<sup>7</sup> <http://www.wfp.org/sites/default/files/WFP-Gender%20Rapid%20Assesment.pdf>

### **NTA's commitment to gender equality**

NTA supports DFAT's gender strategy of 2011 and its four pillars:

- Advancing equal access to gender-responsive health and education services;
- Increasing women's voice in decision-making, leadership, and peace-building;
- Empowering women economically and improving their livelihood security; and
- Ending violence against women and girls at home, in their communities, and in disaster and conflict situations.

NTA will promote gender equality amongst its staff and local partners in culturally appropriate ways by:

- Encouraging employment and training of female staff;
- Providing favourable and flexible working conditions for women including part-time or job-sharing working arrangements; and encouraging partner organisations to do the same;
- Deliberately seeking women's opinions and feedback as distinct from men's opinions and feedback in target communities, and where possible holding gender-specific fora and informal meetings to ensure women's voices are heard;
- Incorporating gender equality considerations into projecting planning, monitoring and evaluation including by using sex-disaggregated data considering potential risks to women and girls, and supporting activities that promote women's empowerment; and
- Actively involving men and boys in our area of operations in promoting gender equality, as appropriate in the NTT context.

### **Educating on the NTA Gender equality policy**

NTA staff (Indonesia and Australia-based), NTA Board members, and staff of partner organisations of the NTA will all be provided with a copy of the NTA Gender equality policy on commencing their association with NTA and on updating of this document. Australian NTA staff will proactively promote women's empowerment, in particular providing opportunities to ensure women's voices are heard, in culturally appropriate ways. The NTA Gender equality policy will be made available on the NTA website.

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### **Inclusion of People with Disabilities.**

In the delivery of all our programs NTA strives to work for and with people with disability, to promote their human rights and empowerment. In Indonesia we are working with our partners and with primary stakeholders, to promote the importance of inclusion of people with disabilities and to ensure a political commitment to disability in NTA's aid and development activities.

Within the structural and practical limitations of NTA's programs and sphere of influence the NTA will endeavour to

- Include disability as a priority issue in organisational development, policy dialogue, communications, negotiations and partnerships;
- Identify and address barriers to ensure persons with disabilities have equal access to the physical environment, transportation, information and communications systems, and to other public facilities and services in both urban and in rural areas;

- Recognise the central role that people with a disability play in representing their own interests and priorities; and accordingly develop and support partnerships with local Disabled People's Organisations in developing countries which play a vital role in giving people with disability a voice;
- Support initiatives to reduce the stigma that surrounds disability, which can be one of the largest barriers to full participation in community and economic life;
- Promote initiatives for economic empowerment and access to economic opportunities for people with a disability; and
- Recognise that the lived experiences and perspectives of people with disabilities are diverse and will vary according to age, gender, class, caste, impairment type and other factors. Better understanding of this will contribute to effective approaches, which will differ in different contexts.

In developing and implementing future NTA Programs, NTA will commit to:

- In the design phase of any initiative, analysing the experiences of those with and without disability for that particular context;
- Taking into account the interaction of gender and disability which means that discrimination, access and inequalities may be different between men and women, girls and boys, family members and carers;
- Using a strengths-based approach, focusing on the abilities, strengths and priorities of people and organisations, and their efforts to achieve self-reliance;
- Promoting and enable the active participation, inclusion and contributions of people with a disability through the whole project cycle including:
  - Including of people with a disability into programming guidelines
  - Developing program document templates for inclusion
  - Having complementary programs or initiatives with targeted, additional support and services to empower people with disabilities (such as programs that focus on children with a disability) and provide them with equal access and opportunities to empower them. We will work in partnerships or through referral networks as appropriate.

### **Reviewing this policy**

This policy will be reviewed annually by the NTA Operations Committee and Board to assess its effectiveness, appropriateness and accuracy.

**Version control**

Version	Date	Approved by Board	Details
1.0	July 2018	31 July 2018	<p>New policy incorporated previously stand-alone policies:</p> <ul style="list-style-type: none"> <li>• <i>Child Protection Policy</i> – Policy amended to comply with ACFID Code of Conduct following feedback from ACFID in May 2018.</li> <li>• <i>Gender Equality Policy</i> – Policy amended to comply with ACFID Code of Conduct following feedback from ACFID in May 2018.</li> </ul> <p>Addition of Policy on inclusion of people with disabilities.</p>