

ACT Alliance

Child Safeguarding Guidance Document

May 2015

*Approved by the ACT Alliance Governing Board
May 2015*

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I. Reference documents and training resources

1. The African Charter on the Rights and Welfare of the Child (ACRWC) <http://acerwc.org/the-african-charter-on-the-rights-and-welfare-of-the-child-acrwc/>
2. Child Protection Policy for the Australian Government's Aid Program <http://dfat.gov.au/about-us/publications/Documents/child-protection-policy.pdf>
3. Australian Royal Commission into Institutional Responses to Child Sexual Abuse <https://www.childabuseroyalcommission.gov.au/>
4. Global Child Protection Working Group www.cpwg.net
5. Churches' Network for Non-Violence <http://churchesfornon-violence.org/>
6. Child Rights Coalition Asia <http://childrightscoalitionasia.org/>
7. Csaky, Corinna. "No One to turn To: The under-reporting of child sexual exploitation and abuse by aid workers and peacekeepers". <http://www.savethechildren.org.uk/resources/online-library/no-one-to-turn-to-the-under-reporting-of-child-sexual-exploitation-and-abuse-by-aid-workers-and-peacekeepers>
8. Inter-Agency Standing Committee Guidelines <http://www.humanitarianinfo.org/iasc/>
9. Minimum Standards for Child Protection in Humanitarian Action <http://cpwg.net/minimum-standards/>
10. Note for Implementing and Operational Partners by UNHCR and Save the Children-UK on Sexual Violence & Exploitation: The Experience of Refugee Children in Guinea, Liberia and Sierra Leone based on Initial Findings and Recommendations from Assessment Mission 22 October - 30 November 2001 <http://www.unhcr.org/3c7cf89a4.pdf>
11. Safe Network <http://www.safenetwork.org.uk/Pages/default.aspx>
12. Safeguarding Children and Young People <https://www.gov.uk/government/publications/safeguarding-children-and-young-people>
13. Special Representative of the Secretary-General on Violence Against Children <https://srsg.violenceagainstchildren.org/>
14. United Nations Convention on the Rights of the Child <http://www.ohchr.org/en/professionalinterest/pages/crc.aspx>
15. UNCRC Optional Protocols http://www.unicef.org/crc/index_protocols.html
16. United Nations Global Study on Violence Against Children <http://www.unviolencestudy.org/>

II. Scope of Policy/Contextualizing for Different Locations

The ACT Alliance Child Safeguarding Policy and the Child Safeguarding Guidance Document has been developed utilizing global best practice and standards in child safeguarding ('child safeguarding' refers to the internal-facing, business critical policies, procedures and practice that agencies employ to ensure that an organisation is child safe). This Policy is developed based on decades of experience by dozens of international and local organizations working in both development and humanitarian settings. It meets the minimum standards of government donors, including the Australian government, the first to make child safeguarding policies a mandatory requirement of development funding.

Most international NGOs will develop organizational policies at the level of the global headquarters. Many, however, will consult with field offices on the content of the policy. This is particularly important when developing child safeguarding policies. While there are recognized, global minimum standards for the format and sections which a child safeguarding policy should contain, all child safeguarding policies can and should be adapted to the local context of the countries where it is being used. This includes the political, cultural, faith, humanitarian or development setting. It should be tailored to the needs and the program context of the agency implementing the policy. Most importantly, national staff from a variety of cultural, socio-economic, and faith backgrounds should be involved in the contextualization of the policy.

Agencies should consider any other ways of preventing harm to girls and boys from staff and others, in the context of their programs. This includes clear guidelines for all staff to follow, tailored to the context of specific locations and programs, and harmful cultural traditions and practices that occur in the area; conducting police background checks, or, in locations where this is not possible, verbal reference checks; and ensuring all staff understand the policy and comply with the Code of Conduct. Ideally, ACT Alliance members should consider supporting local partner organizations to develop their own policies, code of conduct, and reporting protocols.

It is expected that all ACT Alliance members will include an appropriate clause in their Child Safeguarding policy which references local and international legislation on child welfare, child abuse and child exploitation. Template 1 provides an outline for a sample Child Safeguarding policy.

III. Risk Assessments

Assessing risks in new or current programs

The ACT Alliance recognizes that there are a number of potential risks to children in our work, particularly in those programs where staff or others are in contact with children. In recognizing these risks, staff and others should proactively assess and manage risks to children to reduce the risk of harm. ACT Alliance members should ensure that any activities they undertake will ensure thorough and systematized child safeguarding risk assessments. ACT members should also ensure that child protection is mainstreamed throughout their projects and activities along with other cross-cutting issues. This includes consideration of child protection risks when conducting a risk assessment for any project, particularly those where staff comes into direct contact with children. A risk assessment should always be conducted during project design, and periodically reviewed during the life cycle of the project.

The ACT Alliance expects each member agency to commit to undertaking a review of their current programs to assess any risks to children and develop mitigation strategies. It is important that this assessment is gender sensitive and takes into account the specific needs of girl and boy children,

relevant to the local cultural, political, religious and humanitarian context. The ACT Alliance also expects each ACT member to commit to mainstreaming child protection in existing programs, and conducting periodic reviews of their programs for any new or emerging child protection risks. Each ACT member should establish guidelines for the frequency of risk assessments and how they will use the information from the assessments.

While recognizing that different types of programs will require different risk assessments, **Templates & Tools 2, Child Protection Risk Assessment** serves as a guide to the types of issues that ACT members should consider when assessing the risks to children in particular programs.

Child Safe Recruitment

In addition to requiring a police background or criminal check for the country where the individual currently resides, ideally the agency can request such checks for any country where the individual resided for 12 months or more during the last five years. The purpose of this is to ensure that staff members are properly vetted for any child abuse offenses committed in other countries, under other jurisdictions. It is important to keep in mind that adults who sexually abuse children often travel from country to country for work, moving on to other locations whenever questions or suspicions arise about their behaviour. Individuals need to provide their consent to a criminal record check and should be informed of the purpose for which the resulting police clearance certificate should be used, including being sighted by the organization.

ACT Alliance recognises that in limited instances it may prove impossible to obtain a reliable criminal record check. For locations or individuals where a police background check is not feasible, other measures should be taken to screen the individual's suitability to work with children. This may include gaining additional personal references, such as from neighbours, a village chief, the individual's pastor, etc. A statutory declaration, or local legal equivalent, outlining efforts made to obtain a foreign police check, and disclosing any charges and spent convictions related to child exploitation, may be accepted in lieu of a police background check.

Templates & Tools 3, Child Safe Recruitment Checklist, guides ACT members in the steps which should be taken throughout the hiring process, from designing the job description to formal engagement of the employee, to minimize the risk of engaging someone who may pose an unacceptable risk to children.

IV. Reporting Procedures and Complaints Mechanisms

Child Safeguarding Focal Points

It is recommended that agencies have one person per physical location designated as a Child Safeguarding Focal Point, to receive allegations or complaints. This person could be the ACT member's existing Complaints Focal Point, or it could be a separate staff member. This does not mean the ACT member needs to hire a new staff person to be the focal point; rather, this task is generally incorporated into the role/job description of an existing staff member. The ACT member will need to ensure that this person has the time needed to take on the extra responsibilities/duties necessary to be a focal point; this may mean re-assigning some existing tasks to other staff. For larger organizations, there should also be one central Child Safeguarding Focal Point, based at country office or HQ level. This individual will support the location/field focal points in capacity development, monitoring compliance, and support for taking and reporting complaints, and conducting investigations as necessary.

The Director of the agency is the ultimate person who is legally responsible for the policy; however they will need to work with other people in the roll out, implementation and monitoring of the policy. In particular, the Director may need to support the lead Child Safeguarding Focal Point, for example in reporting serious violations or criminal cases to the Board; contacting external authorities or agencies for support in conducting investigations; and modelling leadership for enforcing the policy. The Human Resources or Personnel director will also need to work with the Child Safeguarding Focal Point, if the Code of Conduct breach requires disciplinary measures or personnel termination.

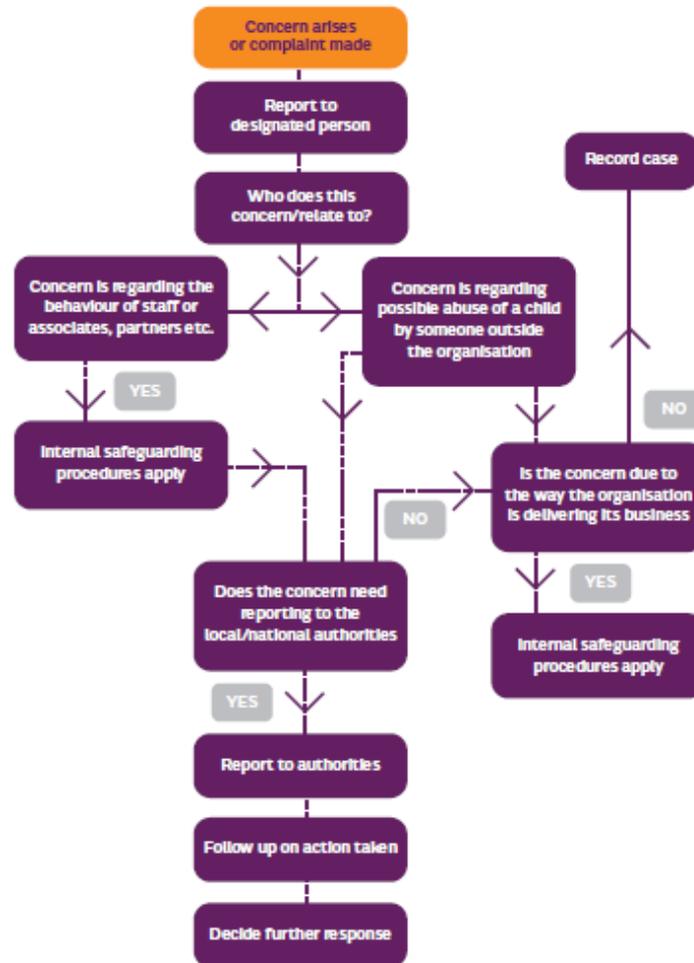
Guidelines/Timeframe/Flowchart for Reporting

ACT members should ensure that their policy includes a mandatory requirement that all personnel and others associated with its programs report any concerns related to abuse of a child. This should include mention of the various ways in which staff receive reports, whether verbally from a child, verbally or writing from a community member, or verbally or in writing from another staff member. **The policy should mention that at all times the priority will be the safety and best interests of the child.**

ACT members should decide the timeframe within which cases need to be reported by staff; the general recommendation is within 24 hours of the incident being observed or reported, or as soon as possible after that. Time is of the essence when a child or family members may be at risk. Having one Child Safeguarding focal point per field location will assist in the efficiency of reporting and will simplify the process. ACT members should also decide the timeframe within which serious or criminal cases should be reported to the Board or Executive Committee. Some ACT members will have requirements on reporting to their donors, usually within a specified timeframe. Agencies should also decide the amount of time they will allow for completing the investigation of a case; while action to protect the child/their family and discipline the staff member may take place quite quickly, a thorough and fair investigation will most likely take much more time, sometimes as long as 2 months or more.

ACT members are encouraged to develop a clear, user-friendly flow chart for reporting cases. This will help to ensure that the process is universally agreed and is understandable by everyone. An example can be found below and other examples are available on the ACT Alliance website.

The following is an example of a reporting procedure that can be adapted for organisations.



1

Investigations/Disciplinary Measures/Other Support for staff

ACT members can and should take any disciplinary measures necessary against staff or others if they are found to have breached the Child Safeguarding Code of Conduct. ACT members should develop procedures and guidelines with their human resources department on how to manage situations where a staff member has been accused of a breach of the Code of Conduct, in a manner which balances protection for the child or other children, with procedural fairness for the employee. This may include temporary suspension with pay or transfer to a position which has no contact with children while an investigation is carried out. Confidentiality is of utmost importance during the course of an investigation, and the employee involved should be kept informed of the process at all times. The agency will need to cooperate with relevant authorities when it is safe and appropriate to do so. The organization should use any breach of the code and investigation as a learning process, and conduct an immediate review of the ACT member’s child safeguarding procedures to identify and address any gaps.

¹ Keeping Children Safe

There will be times when the behaviour of personnel may constitute a breach of the Child Safeguarding Code of Conduct, but not be considered criminal conduct under local legislation. ACT members should consider providing other support to these staff, for example, training, counselling, increased supervision or transfer to other duties. There may be cases, however, where ACT members feel it is appropriate to dismiss personnel even if the behaviour is not criminal, for example a gross violation of the Child Safeguarding Code of Conduct. ACT members can include wording in employment contracts which gives them the right to dismiss an employee for breach of the Child Safeguarding Code of Conduct, regardless of whether it constitutes criminal behaviour. Care must be taken, however, to ensure compliance with local labour legislation.

Identifying information about children should be shared on a 'need to know' basis only. Any staff members who raise concerns of serious malpractice should be protected as far as possible from victimisation or any other detrimental treatment if they come forward with serious concerns, provided that concerns are raised in good faith. Deliberate false allegations should be made a serious disciplinary offence and investigated by the ACT member.

The subject of the complaint (alleged perpetrator) and all witnesses must cooperate fully and openly with internal and statutory investigations and hearings. Their confidentiality will be protected and information which could identify them will be shared on a 'need to know' basis only.

Handling external concerns

ACT members should be able to clearly differentiate between internal and external concerns. **Internal concerns** are those where persons covered by the policy are the alleged perpetrators. **External concerns** are abuses which would usually be considered criminal under local legislation, and perpetrated by persons not described in the scope of this policy. In situations where local legislation may be weaker than the ACT member's policy and Child Safeguarding Code of Conduct, staff should be obliged to abide by the Child Safeguarding Code of Conduct, keeping in mind at all times the best interests of the child.

ACT members should keep a list of referral or service agencies, as well as a contact list of all relevant local, regional and national-level authorities, including police, social or child welfare, health, and others. These lists should be readily-available to all field child safeguarding focal points, and should include local or community-based NGOs who can receive referrals and provide relevant services. **See Template 3 for an example of a list of service providers to keep on hand.** ACT members should also have a list of all national legislation and procedures related to child protection and child welfare, including legislation related to mandatory reporters, state guardianship and referral pathways.

ACT members should not ignore any child protection issues of concern; however, abuse in the wider community is an external concern, and the ACT member and/or its Child Safeguarding focal point needs to have the mechanism for appropriately and efficiently referring cases. Clearly, if a child is in immediate need of attention then staff must act, but the ACT member must consider in advance how much support it is qualified or able to provide, and recognize when it is best to refer. ACT members can realistically only follow up on cases concerning abuse committed by its own personnel and others associated with the agency. Most ACT members do not have the mandate nor the resources to intervene in every case of abuse committed in the community; therefore agencies are reminded that the purpose of a child safeguarding policy is to cover the behaviour of personnel and others associated with its own programs.

Informing communities and receiving complaints

Each ACT member should consider how they will inform children and communities on the conduct to expect of staff and others associated with the agency. Considerations should be made as to how

community members, including children, can raise concerns over inappropriate behaviour by staff. This could include comment boxes, regular announcements to communities in verbal, or written form, ensuring the Child safeguarding Code of Conduct is translated into all relevant languages and available in illustrative, low-literacy and/or a child-friendly format. ACT members will need to decide how to link reporting mechanisms for child abuse cases with existing reporting mechanisms. More guidance on this and sample child-friendly reporting templates will be available on the ACT Alliance website.

It is important that in the information to the communities, names, e-mail addresses and phone numbers to access are correct and immediately updated when changes take place.

Child Protection Incident Reporting

ACT Alliance members are strongly encouraged to develop a standard form for staff, the community and others to report any child protection incidents or incidents of concern about a child/children or a staff member. Ideally the person making the report will complete the form in writing, however every allowance should be made to support persons who are unable or unwilling to write, in which case the Child Safeguarding Focal Point, or the person taking the report, should complete the form. It is important to keep a written record of all events – dates, names, times, places. However, this information must be kept strictly confidential, and stored in a secure place accessible only by the Child Safeguarding Focal Point or other relevant individuals, as needed for investigation and follow-up of the case.

A sample reporting form can be found in Templates & Tools 5.

V. Training for Staff

Once the ACT Alliance member has developed its child safeguarding policy and procedures, training should be carried out for all staff, from support service and administration up to senior management. The style, approach, and content of training will necessarily vary depending on the audience, but should include, at a minimum:

- An introduction/overview of the concepts of child protection and child safeguarding
- A discussion of risks to children in the local context, from a cultural, faith-based, or programmatic point of view
- A discussion on how child safeguarding policies and procedures can protect children, the staff, and the organization – and what can go wrong when there are no procedures in place
- An introduction to and discussion of the policy, ensuring all participants understand the purpose of the policy, the content, and terminology

Such training sessions can be a good opportunity for existing staff members to sign the Child Safeguarding Code of Conduct. The original should be kept in their personnel file, and a photocopy given to the staff member. It is important that staff members read and understand the Child Safeguarding Code of Conduct before signing it.

It is recommended that refresher training is conducted for staff on an annual basis. All new staff will need to have a brief induction session once they have had a chance to read through the policy. ACT Alliance recognizes that its members have a wide range of capacities and systems for building staff capacity; training in the child safeguarding policy should ideally be built into these existing systems.

A list of training resources and toolkits can be found in **Templates & Tools 9**. A list of definitions and terms can be found in **Templates & Tools 10**.

VI. Child Safeguarding Code of Conduct

When developing a Child Safeguarding Code of Conduct, agencies should involve local stakeholders as much as possible. At a minimum, national staff representing a range of backgrounds should be involved, in order to ensure that all cultural and social norms and taboos are included in the wording. Ideally, partner agencies, children and community members should be included in developing the Child Safeguarding Code of Conduct.

Some Guidance for Child Safeguarding Code of Conduct Wording:

- The suggested format is a list of expected behavioural “Do’s” and “Don’ts”. The language should be clear and unambiguous, for example avoid general terms such as ‘defile’, ‘abuse’, and ‘harm’;
- The language should be relevant to the kinds of programs the organization carries out; if the organization works with specific groups of vulnerable children e.g. children with disabilities or street children, the wording will need to be explicit enough to include any behaviour related to working with these kinds of children (for example, assisting children with toileting or transporting children from a street setting to a shelter);
- The Child Safeguarding Code of Conduct should include images guidelines; ACT members will need to decide how they expect staff and others to obtain consent for groups of children. Some donor agencies, for example, do not consider the consent of a teacher or other adult responsible for the group to be sufficient. When making this decision, agency staff should consider how they would feel if a stranger came into their child’s classroom and took a photo of all of the children, without their parent’s explicit consent. This is particularly important in the context within which many ACT members work – IDP and refugee camp settings, for example. At all times, the dignity of the child and their right to privacy and confidentiality should be considered whenever taking or reproducing images;
- ACT members should consider all the different ways in which images or videos may later be used, including misused. This includes staff reproducing images from work locations on their personal social media sites, such as Facebook or Twitter. Images reproduced on a website should be locked so that they cannot be easily copied.

An outline which shows the sections to be included in a Child Safeguarding Code of Conduct can be found in **Templates & Tools 6**. A generic sample Child Safeguarding Code of Conduct can be found in **Templates & Tools 7**. The ACT Alliance Child Safeguarding Code of Conduct, which can serve as a template for ACT members, can be found in **Templates & Tools 8**.

VII. Monitoring and Review

ACT members should include a statement in their policy on how the policy and procedures will be monitored and reviewed. Regular monitoring of risks, risk mitigation and the effectiveness of the child safeguarding measures needs to be incorporated into the ACT member’s normal monitoring processes and activities. The policy should be reviewed every 3 years.

Some ways in which ACT members can ensure regular monitoring and review:

- Child protection is incorporated into the organisation's risk register and quarterly and annual reporting processes.
- Child safeguarding policy requirements are included in Grant and Partnership Agreements with local partner agencies, and contracts with vendors and consultants.
- Child protection is included as a cross-cutting issue in partner proposal appraisal checklists, and in field monitoring report templates.
- Senior management and the Board of Trustees will regularly review the risk register and organisation reports to ensure that child safeguarding measures are in place and effective.
- Policy includes the statement that the policy will be reviewed at minimum of every 3 years or when it is shown necessary that additional issues need to be identified and addressed, such as with a significant change in context or program.

VIII. Templates and Tools

1. Outline of a Child Safeguarding Policy

Introduction

A brief introduction to the policy, why it has been developed and how it will benefit the organisation and the children the organisation works with.

Principles

State here the principles being upheld by the organisation's child safeguarding policy.

Principles can be drawn from key international and regional instruments such as: International Standards for Keeping Children Safe and the UN Convention on the Rights of a Child:

- All children have equal rights to protection from harm.
- Everybody has a responsibility to support the protection of children.
- Organisations have a duty of care to children with whom they work, are in contact with, or who are affected by their work and operations.
- If organisations work with partners they have a responsibility to help partners meet the minimum requirements on protection.
- All actions on child protection are taken in the best interests of the child, which are paramount.

Definitions and Terms

State here what is meant by the key terms being used in the policy.

Scope

This policy is applies to all staff and associates.

Implementation

Statement that protection of children from abuse and protection the rights of children will be addressed through the following steps:

✓ **Risk assessment/risk mitigation**

Statement here on how the organisation will assess risk to children from all organisational functions and develop strategies to minimise those risks.

✓ **Safe recruitment**

Statement on the organisation's commitment to safe recruitment practices.

✓ **Behaviour protocols/code of conduct**

Statement on the code of conduct the organisation has introduced. **Template 8 is a generic Code of Conduct.**

✓ **Education/training**

Statement on how staff and associates, children and families will be receiving information, education and training on child safeguarding.

✓ **Safe programme design**

Statement on organisation's commitment to design and deliver programmes which are safe for children. Include in this section that programmes and projects will be risk assessed for safety and safety strategies developed.

✓ **Communications – use of images and children's information**

Statement on organisation's commitment to undertake all communications in a safe manner, including reference to a communications policy if appropriate. Principles and guidelines for communications is at Annex B. Annex C has an example of a Communications policy and procedures.

✓ **Social media**

Statement on the use of social media by the organisation and its impact on children. It is advisable to develop a specific policy on social media if it is being used widely by an organisation to engage children or it is an element of an organisation's programming work with children. A template for a social media policy is at Annex D.

✓ **Management responsibilities**

Statement that the policy has been approved by the organisation's leadership – senior management and the Board – and how management will ensure the policy is being implemented.

✓ **Reporting/responding to concerns**

Statement on the obligation of all staff and associates to report on all concerns they have about a child. Include the reporting flowchart with clearly designated staff to receive and manage reports, example below, and a referral form, example at Annex E.

✓ **Monitoring and review**

Statement on how the policy and procedures will be monitored and reviewed. Regular monitoring of risks, risk mitigation and the effectiveness of the child protection measures needs to be incorporated into organisation's normal monitoring processes and activities. The policy should be reviewed every 3 years.

2. Child Protection Risk Assessment

How to identify situations which require child protection risk management²

| 1. Contact with children Risk Assessment (No = nil contact) | | |
|--|---|--|
| Inherent risk | Personnel will be deployed in-country | |
| | Personnel will be working in a remote and/or rural location | |
| Degree of Isolation | Involves being alone with children (not frequently enough to be working with children) | |
| | Involves activities that are away from organisation location | |
| | Involves meeting one-on-one with children (not frequently enough to be working with children) | |
| | Involves unpredictable or remote settings | |
| Online contact or access to personal details | Involves direct one-on-one or group access to children online | |
| | Involves supervising child-to-child online contact | |
| | Involves online access to a child's or children's personal and/or confidential information | |
| | Inadequate/missing safe options for children to report unwanted attention or inappropriate behaviour by others | |
| | Involves educating children and supporting adults on cyber safety | |
| 2. Working with Children Risk Assessment | | |
| Vulnerability of child/children | Engages with children whose true or cognitive age impacts on their ability to protect themselves | |
| | Engages with children who have challenges that contribute to their vulnerability (e.g. psychological, situational) | |
| | Engages with children who do not have many support systems | |
| Degree of physical contact | Involves demonstrating a skill to children | |
| | Position involves need for physical contact/touching children | |
| | Involves providing a personal service (e.g. washing, dressing, toileting) | |
| Degree of monopoly | Monopoly on provision of goods and/or services <ul style="list-style-type: none"> • Medical • Food distribution | |

² From Child Protection Policy for the Australian Government's Aid Program. 2013, "Guidance for establishing the child safeguarding risk context of organisations and activities"

| | | |
|--|--|--|
| | <ul style="list-style-type: none"> • Career training (sports/musical) | |
| Degree of supervision | Involves personnel having unsupervised contact with children | |
| | Activities/engagement with children is not observed or monitored | |
| | insufficient number of trained staff to supervise activities/engagement with children | |
| Degree of trust | Involves developing close, personal, long term relationships with children | |
| | Involves transporting youth | |
| | Involves one or more of the following: One-on-one supervision, overnight supervision, out of town activities, advising or offering guidance to youth or spending extended periods of time with youth e.g. camps | |
| | Contributes to important decisions regarding the future of children | |
| Access to Property | Has access to personal/confidential information | |
| | Adult has a perceived or actual level of authority (from child perspective) | |
| Skills and knowledge required | Requires specific skills, knowledge, qualifications or service eligibility requirements to undertake a child related position | |
| Child labour | Possibility that activity will lead to the employment of children | |
| | Possibility that activity will lead to the removal of children from school | |
| | Possibility that activity will lead to children being employed in hazardous work | |
| Vulnerability of parent/carer | Engages with parents whose true or cognitive age impacts on their ability to protect their children | |
| | Engages with parents who have challenges that contribute to their ability to provide care (e.g. psychological, situational) | |
| | Engages with parents who do not have many support systems | |
| <i>Vulnerability can include:</i> | Physical and mental disabilities, homelessness, child sex workers or parents who are sex workers, children and families impacted by disasters, displaced, migrants, refugees and asylum seekers, children in contact with the law, children that have been subject to trafficking, orphans, unaccompanied minors and the very young. | |

3. Child Safe Recruitment Checklist

| Steps in recruitment | How it can help keep children safe |
|---|--|
| <p>When designing the job, analyze the role and think about the issues of child protection and risk in that job:</p> <ul style="list-style-type: none"> • What contact with children will the job involve? • Will the employee have unsupervised access to children, or hold a position of trust? • What other sort of contact may the person have with children (e.g., via email, telephone, letter, internet)? | Helps an agency to determine the level of contact with children and potential risks of abuse |
| Develop clear job descriptions, terms of reference/role briefs for all posts including short-term and consulting contracts. | (same as above) |
| Make sure that the selection-criteria outlines the relevant experience needed if the post involves direct work with children. | Positions with greater contact with children may require more specialized skills and experience |
| Make sure that the commitment to keeping children safe is included in details of any post advertised for prospective job candidates. Mention of the child safeguarding policy should be mentioned on the agency website and a copy of the policy including Code of Conduct should also be on the website. | This will help deter child sex offenders and other unsuitable people from applying. |
| Develop application forms that ask for consent to gain information on a person's past convictions/pending disciplinary proceedings. | For the purpose of conducting criminal background checks |
| Whenever possible, conduct interviews face-to-face | In order to pick up on non-verbal cues |
| Make sure you have a well-planned interview process – make sure the interviewers have the relevant experience and knowledge about child safeguarding and best practice. | Behavior-specific questions help uncover any areas of concern about an applicant |
| Include some specific behavioral-based questions in the interview that draw out people's attitudes and values in relation to the protection of children. | Behavioral-based questions that ask for examples of past behavior give the best indication of future behavior. |
| Ask for documentation to confirm identity and proof of relevant qualifications. | Deters potential child abusers, prevents applicants from covering up a history of questionable or criminal behavior |
| Ask applicant to sign a declaration that they have not been charged with child abuse or exploitation offences. | This gives an agency stronger grounds to terminate employment if convictions are discovered later on. |
| Take up to three references including from previous employers or others who have knowledge of the candidate's experience and suitability to work with children. One of the references must be their immediate prior employer. At least 2 reference checks must be conducted by speaking to the person verbally, not through email or letter. | Written references are easier to be forged. Verbal referee checks provide opportunities to gauge non-verbal cues such as hesitancy and ask follow up questions. - |
| Verify the identity of referees | To ensure referees are actual previous employers or people not related to the applicant |
| Conduct as many background checks as possible. | To be certain of a person's background and qualifications |
| Whenever the local situation and legislation allows it, all successful applicants must undergo a police background check, including in the country of their last residence. If a police background check cannot be performed, then the staff member must sign a Statutory Declaration form applicable for the country situation, stating the person has not committed any crimes against children. | Prime areas of concern in a police check include: <ul style="list-style-type: none"> - Child abuse - Child or adult sexual offences - Violence - Child pornography - Internet offences involving children |

| | |
|--|---|
| <p>Successful applicants will be provided with a full copy of the child safeguarding policy, provided with brief orientation (further training as per the agency’s schedule), and asked to sign the Code of Conduct. This page will be kept in their HR file, along with a photo copy of the person’s identity document.</p> | <p>Having staff sign the code of conduct:</p> <ul style="list-style-type: none"> - Creates clear boundaries - Prevents misinterpretations - Identifies inappropriate boundaries <p>Is empowering for colleagues and management</p> |
| <p>All postings should have a probationary period of employment to ensure suitability once in post.</p> | <p>A probation period allows an agency to assess the skills and capacity of a new employee, as well as monitor aspects of an employee such as honesty, reliability, and interactions with co-workers, communities and children.</p> |

4. List of Resource and Referral Agencies

| Agency Name | Type of Service/s | Contact Person | Phone | Address/Location |
|-------------|-------------------|----------------|-------|------------------|
| | | | | |
| | | | | |
| | | | | |

5. Sample Child Protection Incident Reporting Form

[AGENCY NAME] takes all concerns and reports of child abuse seriously and immediate action will be taken. Staff members or others reporting child protection concerns will be supported by the agency throughout the process of assessing the claim. A Framework for Reporting is in Annex IV of this Child Safeguarding Policy.

This form should be used to report if you see or suspect abuse, if an allegation of abuse is made, or if a child discloses abuse. The information you provide here will be kept CONFIDENTIAL and all steps will be taken to ensure you are supported by management and that your protection is considered in any actions taken.

What to do and say if a child tells you about actual or potential abuse

- Accept what they say
- Take the allegation seriously
- Reassure them they have done the right thing by telling someone and that they are not to blame for the behaviour of others
- Let them know that the allegation must be reported and that total confidentiality cannot be promised
- Allow them to speak freely but do not press them for information
- Let them know what will happen next
- Record the process carefully and in detail immediately after the allegation in order to ensure greatest accuracy

DO NOT:

- React emotionally
- Seek any more information than is absolutely necessary
- Leave the child alone immediately after a disclosure
- Make promises that you cannot keep (particularly about not telling others)

SAMPLE Child Protection Incident Reporting Form**Part One: About You**

Name: _____

Your role in (agency or partner agency): _____

Details of any other organisation involved: _____

Your relationship to the child or young persons concerned: _____

Part Two: About the Child

Name(s): _____

Male/female: _____

Age: _____

Address: _____

Whom does the child or young person live with?: _____

Part Three: About Your Concern

How did you come to have a concern: was abuse or policy non-compliance observed or suspected? Was an allegation made? Did a child disclose abuse?

Date, time and place of any incident(s) reported to you: _____

Nature of concern/allegation

Observations made by you (e.g. child's emotional state, any physical evidence)

Write down exactly what the child or person making a report said and what you said (or another informant said): continue on a separate sheet of paper if necessary.

Any other relevant information? (E.g. disability? language?)

Were other children involved or aware?

Have you already spoken to parents or carers or any other child protection Personnel or Agencies? Yes or No ___ If Yes, who or whom? _____

Time and date of reporting: _____

Person(s) to whom report was made: (name of supervisor/manager/staff):

Advice given by that person or agency:

Action taken

I understand that in making this report the agency may have to inform other authorities, in a confidential manner and only if necessary for the safety of the child, the staff member, or the agency, or to meet obligations to donors or under national law

Signed

Date

Note: Please remember that all information contained in this report must be kept confidential and must not be revealed to anyone except the person you reported to. You will be informed of next actions that will be taken

6. Code of Conduct Drafting Template³

| Issue | Expected Behaviour (Do) | Expected Behaviour (Don't) |
|---|-------------------------|----------------------------|
| Discipline of children by staff and volunteers at work | | |
| Language used by staff and volunteers with and around children and families | | |
| Use of electronic communication with children and young people | | |
| Abuse and exploitation of children by staff or volunteers when they are not at work (e.g. including child labour) | | |
| Abuse and exploitation of children by staff or volunteers when they are at work | | |
| Giving and receiving gifts from children and families | | |
| Physical contact between staff or volunteers and children | | |
| Taking photos and using images of children | | |
| Approach for children's sleeping arrangements | | |
| The use of social media by staff and volunteers | | |
| Adults and children using the same change rooms or bathrooms | | |
| Transporting children | | |
| Being alone with children | | |
| Use, possession and supply of alcohol and drugs by staff or volunteers | | |
| Other issues relevant to your organization | | |

³ Child Protection Policy Workbook: A series of practical questions to assist Australian Red Cross partner organisations develop a Child Protection Policy. Australian Red Cross, July 2014

7. Generic Child Safeguarding Code of Conduct

| Minimum elements of a code of conduct |
|--|
| I, _____ [insert name], acknowledge that I have read and understand [IMPLEMENTING ORGANISATION] <i>Child safeguarding Policy</i> , and agree that in the course of my association with [IMPLEMENTING ORGANISATION] , I must: |
| <ul style="list-style-type: none"> • treat children with respect regardless of race, colour, gender, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status |
| <ul style="list-style-type: none"> • not use language or behaviour towards children that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate |
| <ul style="list-style-type: none"> • not engage children under the age of 18 in any form of sexual intercourse⁶ or sexual activity,⁷ including paying for sexual services or acts |
| <ul style="list-style-type: none"> • wherever possible, ensure that another adult is present when working in the proximity of children |
| <ul style="list-style-type: none"> • not invite unaccompanied children into my home, unless they are at immediate risk of injury or in physical danger |
| <ul style="list-style-type: none"> • not sleep close to unsupervised children unless absolutely necessary, in which case I must obtain my supervisor's permission, and ensure that another adult is present if possible |
| <ul style="list-style-type: none"> • 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 |
| <ul style="list-style-type: none"> • not use physical punishment on children |
| <ul style="list-style-type: none"> • not hire children for domestic or other labour which is inappropriate given their age or developmental stage, which interferes with their time available for education and recreational activities, or which places them at significant risk of injury |
| <ul style="list-style-type: none"> • comply with all relevant Australian and local legislation, including labour laws in relation to child labour |
| <ul style="list-style-type: none"> • immediately report concerns or allegations of child exploitation and abuse and policy non-compliance in accordance with appropriate procedures |
| <ul style="list-style-type: none"> • immediately disclose all charges, convictions and other outcomes of an offence, which occurred before or occurs during my association with [IMPLEMENTING ORGANISATION] that relate to child exploitation and abuse. |
| When photographing or filming a child or using children's images for work-related purposes, I must: |
| <ul style="list-style-type: none"> • assess and endeavour to comply with local traditions or restrictions for reproducing personal images before photographing or filming a child |
| <ul style="list-style-type: none"> • 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 |
| <ul style="list-style-type: none"> • ensure photographs, films, videos and DVDs present children in a dignified and respectful manner and not in a vulnerable or submissive manner. Children should be adequately clothed and not in poses that could be seen as sexually suggestive |
| <ul style="list-style-type: none"> • ensure images are honest representations of the context and the facts |
| <ul style="list-style-type: none"> • 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. |
| <ul style="list-style-type: none"> • I understand that the onus is on me, as a person associated with [IMPLEMENTING ORGANISATION], to use common sense and avoid actions or behaviours that could be construed as child exploitation and abuse. |
| Signed: |

8. ACT Alliance Child Safeguarding Code of Conduct

The ACT Alliance believes that all children have the right to protection from all forms of violence, abuse and exploitation. Staff, volunteers, contractors and others representing or visiting ACT Alliance member projects are responsible for maintaining a professional role with children, which means establishing and maintaining clear professional boundaries that serve to protect everyone from misunderstandings or a violation of the professional relationship. This Child Safeguarding Code of Conduct outlines the behaviour the Alliance expects from all staff and others associated with its members, with regards to working with or in the proximity of children.

Some ACT member organisations have comprehensive Codes of Conduct that espouse the principles of the ACT Code of Conduct and in some cases exceed the ACT commitments outlined in this document. In such cases, ACT members should share their Code of Conduct with the ACT Secretariat and jointly discuss and agree on which document should be signed by its organisations staff. ACT recognises that a vast amount of time and energy has gone into the development of individual organisation's Code and wishes to recognise this valuable organisational learning process.

I, _____(name)_____, agree to abide by the following behavioural guidelines with regards to children I come into contact with through my work:

I will:

- ✓ Treat all children with respect, regardless of race, colour, sex, sexual identity language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status
- ✓ Conduct myself in a manner that is consistent with the values of the ACT Alliance
- ✓ Provide a welcoming, inclusive and safe environment for all children
- ✓ Respect cultural differences which do not harm the child
- ✓ Encourage open communication between all children, young people, parents, staff and volunteers and enhance and promote the participation of children in the decisions that affect them
- ✓ Be transparent in my actions and whereabouts
- ✓ Take responsibility for ensuring I am accountable and transparent, and that I do not place myself in positions where there is a risk of allegations being made. Wherever possible, I will ensure that another adult is present when I am working in the proximity of children. I will discuss other measures as necessary with my agency's Child Safeguarding Focal Point
- ✓ Report any concerns of child abuse or policy non-compliance in accordance with my agency's reporting procedures
- ✓ Keep confidential all information that I am party to regarding child protection cases, disclosing and discussing information only with the relevant parties including my agency's Child Safeguarding Focal Point
- ✓ Report any concerns or suspicions regarding abuse or policy non-compliance by a fellow worker, volunteer, contractor or visitor, in line with my agency's reporting procedures

- ✓ Comply with all relevant national legislation, including labour laws in relation to child labour
- ✓ Immediately disclose all charges, convictions and other exploitation and abuse and policy non-compliance in accordance with appropriate procedures

I will not:

- ✓ Engage in behaviour that is intended to shame, humiliate, belittle or degrade children.
- ✓ Use inappropriate, offensive, harassing, abusive, sexually provocative, demeaning, culturally inappropriate or discriminatory language when speaking with a child
- ✓ Do things of a personal nature that a child can do for him/herself, such as assistance with toileting or changing clothes. If this is necessary, for example for a child with a disability, I will inform my supervisor first and be as open as possible in my behaviour, which includes explaining to a child what I can do to assist them
- ✓ Invite unaccompanied children into my home, unless they are at immediate risk of injury or in physical danger
- ✓ Sleep close to unsupervised children unless absolutely necessary, in which case I must obtain my supervisor's permission, and ensure that another adult is present if possible.
- ✓ Hit or physically assault children.
- ✓ Use physical punishment on children
- ✓ Develop sexual relationships with children or relationships with children that may be deemed exploitative or abusive.
- ✓ Engage in any form of sexual activity or acts, including paying for sexual services or acts, with anyone under the age of 18
- ✓ Encourage or condone behaviour on the part of others which constitutes abuse or exploitation of a child
- ✓ Behave provocatively or inappropriately with a child. Hold, kiss, cuddle or touch a child in an inappropriate, unnecessary or culturally insensitive way.
- ✓ Seek to make contact, in person, by phone, or electronically, and/or spend time with any child that I come into contact with in my role as a representative of my agency, outside of designated work and activity times of my role
- ✓ Discriminate against any children for any reason or show special favour towards any child or group of children

- ✓ Release or discuss any personal confidential information about suspected or proven child abuse or protection cases other than with the relevant persons, including my agency's Child Safeguarding focal point.
- ✓ Use any computer, mobile phone, or video and digital camera to exploit or harass children. I will not access child pornography through any medium (see also 'Use of Children's Images' below)
- ✓ Hire children to perform domestic labour or any other labour which is inappropriate given their age or developmental stage, which interferes with their time available for education and recreational activities, or which places them at significant risk of injury or any other harm.

Use of Children's Images

When photographing or filming a child/children for work purposes, I must:

- ✓ Assess and endeavour to comply with local traditions or restrictions for reproducing personal images
- ✓ Obtain consent from the child and a parent/guardian of the child. As part of this I must explain how and where the photograph or film will be used. I must follow my agency's guidance on obtaining consent for taking photos of groups of children
- ✓ Ensure photographs or films present children in a dignified and respectful manner, not in a vulnerable or submissive manner. Children should be adequately clothed and not in poses that could be seen as sexually suggestive
- ✓ Ensure images are honest representations of the context and the facts
- ✓ Ensure children are portrayed as part of their community.
- ✓ Ensure file images do not reveal identifying information about a child when sending images electronically
- ✓ Ensure there is no identifying information of the child used in the publication of images with their location. I will ensure all recorded identifying details are stored confidentially.
- ✓ Ensure all photographers I am supervising are screened for their suitability, including police checks where appropriate.
- ✓ Not post images or details of children associated with ACT Alliance's work on personal social media sites

I understand that the onus is on me, as a person engaged or associated with the ACT Alliance, to use common sense and avoid actions or behaviours that could be construed as child abuse when engaging in activities or visiting projects of my agency or other ACT Alliance agencies.

I have read the ACT Alliance Child Safeguarding Policy and Child Safeguarding Code of Conduct and discussed its contents with my agency's Child Safeguarding Focal Point. I am aware that ACT Alliance

expects me to uphold at all times the standards of behaviour described in the Child Safeguarding Code of Conduct above. I also understand that disciplinary measures and/or legal steps will be taken if I am found to be in breach of the Child Safeguarding Code of Conduct.

Signature of Staff Member

Name of Staff Member

Agency Name

Date

9. Training Resources and Toolkits

1. *Child Safeguarding Standards and How to Implement Them*. Keeping Children Safe, 2014. Available at www.keepingchildrensafe.org.uk. Keeping Children Safe has a training division, with training consultants based in different locations globally.
2. *10 Steps to a Child Safe Organization*. Save the Children Australia, Child Wise, and World Vision Australia. Cambodia, 2007.
3. *Creating Safe Environments for Children: A Toolkit for Safeguarding Children and Protecting them from Harm*. VIVA, 2014. available at www.hk.viva.org/learn
4. Minimum Standards for Child Protection in Humanitarian Action <http://cpwg.net/minimum-standards/>
5. Safeguarding Children and Young People <https://www.gov.uk/government/publications/safeguarding-children-and-young-people>

10. Child Safeguarding Definitions and Terms

Bullying: Bullying is a term used for a multifaceted form of mistreatment, mostly seen in schools and the workplace. It is characterized by the repeated exposure of one person to physical and/or emotional aggression including teasing, name calling, mockery, threats, harassment, taunting, hazing, social exclusion or rumours.⁴ In the context of this policy, bullying would usually be child to child.

Child Abuse: Abuse happens to male and female children of all ages, ethnicity and social backgrounds, abilities, sexual orientation, religious beliefs and political persuasion. Child abuse includes physical, sexual and emotional abuse, neglect, bullying, discrimination, child labour and domestic violence. Abuse can be inflicted on a child by men or women, as well as by children and young people themselves.

Child labour: The term “child labour” is often defined as work that deprives children of their childhood, their potential and their dignity, and that is harmful to physical and mental development. It refers to work that:

⁴ World Health Organization, <http://www.who.int/bulletin/volumes/88/6/10-077123/en/>

- is mentally, physically, socially or morally dangerous and harmful to children; and
- interferes with their schooling by:
- depriving them of the opportunity to attend school;
- obliging them to leave school prematurely; or
- requiring them to attempt to combine school attendance with excessively long and heavy work.

Child or young person: A child or young person is regarded to be any person under the age of 18 years, unless a nation's laws recognise adulthood earlier. However, for the purposes of this policy, ACT Alliance will always consider a child to be anyone under the age of 18.

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.'

Child pornography material—Material that depicts a person, or is a representation of a person, who is, or appears to be, under 18 years of age and is engaged in, or appears to be engaged in, a sexual pose or sexual activity, or is in the presence of a person who is engaged in, or appears to be engaged in, a sexual pose or activity, and does this in a way that a reasonable person would regard as being, in all the circumstances, offensive.

Child protection: In its widest sense, child protection is a term used to describe the actions that individuals, organisations, countries and communities take to protect children from acts of "harm" maltreatment (abuse) and exploitation e.g., domestic violence, exploitative child labour, commercial and sexual exploitation and abuse, deliberate exposure to HIV infection, physical violence to name but a few. It can also be used as a broad term to describe the work that organisations undertake in particular communities, environments or programmes that protect children from the risk of harm due to the situation in which they are living.

Child Safeguarding: Child safeguarding is the set of internal facing, business critical policies, procedures and practice that we employ to ensure that our organisation itself is a child safe organisation. This means we ensure that:

1. Anyone who represents our organisation behaves appropriately towards children and never abuses the position of trust that comes with being a member of our organisation family.
2. Everyone associated with the organisation is aware of and responds appropriately to issues of child abuse and the sexual exploitation of children
3. We create a child-safe environment in all of our activities by always assessing and reducing potential risks to children
4. We are driven by the duty of care that we have to children.

Child-Safe Environment: A child-safe environment is one where active steps are taken to reduce risks of harm against, and there are clear, established guidelines and procedures for conduct, reporting abuse and follow-up.

Child Sexual exploitation: The abuse of a position of a child's vulnerability, differential power, or trust for sexual purposes; this includes profiting monetarily, socially or politically from the exploitation of another. Child prostitution and trafficking of children for sexual abuse and exploitation are only two examples of this.

Child sex trafficking: The movement of children from one place to another, usually with the exchange of money, for the purpose of involving those children in commercial sex work or for other sexual exploitation, such as forced marriage.

Child sex tourism: Tourism, usually by individuals or groups from developed countries to poor or developing countries, for the specific purpose of accessing children in those countries for commercial sexual exploitation purposes.

Commercial or other exploitation: of a child refers to the use of the child in work or other activities for the benefit of others. This includes, but is not limited to, child labour. These activities are to the detriment of the child's physical or mental health, education, moral or social-emotional development (WHO, 1999). Children being recruited in to the army would also come under this category.

Discrimination: Discrimination includes the exclusion of, mistreatment of, or action against an individual based on social status, race, ethnicity, colour, religion, gender, sexual orientation, age, marital status, national origin, political affiliation or disability⁵.

Duty of Care: Duty of Care is a common law concept that refers to the responsibility of the organisation and individual to provide children with an adequate level of protection against harm. It is the duty of the organisation and its individuals to protect children from all reasonably foreseeable risk of or real injury.

Emotional abuse: Emotional abuse occurs when a child is repeatedly rejected or frightened by threats. This may involve name calling, shaming, humiliation, or continual coldness from parent or caregiver, to the extent that it affects the child's physical and emotional growth.

Gender Based Violence. The term "gender-based violence" refers to violence that targets individuals or groups on the basis of their gender. The United Nations' Office of the High Commissioner for Human Rights' Committee on the Elimination of Discrimination against Women (CEDAW) defines it as "violence that is directed against a woman because she is a woman or that affects women disproportionately", in its General Recommendation¹⁹. This does not mean that all acts of violence against a woman or a girl child are gender-based violence, or that all victims of gender-based violence are female.

Grooming—Refers to behaviour that makes it easier for an offender to procure a child for sexual activity. For example, an offender might build a relationship of trust with the child, their family or their community, and then seek to sexualise that relationship (for example by encouraging romantic feelings or exposing the child to sexual concepts through pornography). Grooming often involves normalizing their behaviour to everyone, not only the child, and can also involve bestowing gifts, favours or money on the child, their family, and/or the community.

Internal concerns are those where persons covered by the policy are the alleged perpetrators. External concerns are abuses which would usually be considered criminal under local legislation, and perpetrated by persons not described in the scope of this policy. In situations where local legislation may be weaker than this policy and Code of Conduct, staff are obliged to abide by this Code of Conduct, keeping in mind at all times the best interests of the child.

Member agency: For the purposes of this policy, Member Agency refers to any organisation that is a member of the ACT Alliance.

⁵ ACT International Code of Conduct on Sexual Exploitation, Abuse of Power and Corruption for Staff members of the ACT International Alliance. 10.12.200.

Neglect: Neglect is the persistent failure or the deliberate denial to provide a child with clean water, food, shelter, emotional support or love, sanitation, supervision or care to the extent that the child's health and development are placed at risk.

Online grooming—The act of sending an electronic message with indecent content to a recipient who the sender believes to be a child, with the intention of procuring the recipient to engage in or submit to sexual activity with another person, including but not necessarily the sender.

Others: For the purposes of this policy, 'others' refers to volunteers, contractors, donors, representatives, media, and all individuals associated with any initiative funded or organized by the ACT Alliance and its member agencies

Physical abuse: Physical abuse occurs when a person purposefully injures or threatens to injure a child or young person. This may take any form of physical treatment including but not limited to slapping, punching, shaking, kicking, burning, shoving or grabbing. The injury may take any form including but not limited to bruises, cuts, burns or fractures.

Protection: Protection includes ensuring that individual basic human rights, welfare and physical security are recognised, safeguarded and protected in accordance with international standards.

Sexual abuse: Sexual abuse is actual or threatened physical intrusion of a sexual nature, including inappropriate touching, by force or under unequal or coercive conditions⁶. Examples of this include 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.

Sexual exploitation: Sexual exploitation is any abuse of a position of vulnerability, differential power, or trust for sexual purposes; this includes profiting materially, monetarily, socially or politically from the sexual exploitation of another. Sexual exploitation includes using one's position of authority, influence or control to pressure, force or manipulate someone to do something against their will knowingly or unknowingly, by threatening them with negative repercussions such as withholding project assistance, not approving an employee's work support requests, threatening to make false claims about an employee in public etc.⁷.

Staff: Staff refers to full time, part time, or casual persons working in ACT Secretariat or for ACT members, and those engaged on short term contracts such as but not limited to: consultants, researchers, photographers etc. working in any project location.

⁶ ACT International Code of Conduct on Sexual Exploitation, Abuse of Power and Corruption for Staff Members of the ACT International Alliance. 10.12.02.

⁷ ACT International Code of Conduct on Sexual Exploitation, Abuse of Power and Corruption for Staff Members of the ACT International Alliance. 10.12.02.