



Positive Action for Development

CHILD PROTECTION POLICY AND PROCEDURE

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Addis Ababa, Ethiopia

ACRONYMS

HVC Highly Vulnerable Children

PAD Positive Action for Development

SECTION 1: INTRODUCTION AND KEY BACKGROUND INFORMATION

1.1 Introduction

The purpose of this policy is to prevent any and all forms of child abuse by PAD staff, partners and volunteers and to provide timely and effective assistance to the child in cases where abuse has occurred. Our efforts to prevent and respond to abuse cases will contribute to the Government of Ethiopia's desired outcome for child protection as set forth in the GoE OVC Service Standards: "Child receives legal information and access to legal services as needed, including birth registration, will writing, property inheritance, and is protected from all forms of abuse and neglect."

PAD believes that the welfare of children is always the most important consideration. We are committed to providing children with care and protection and believe in the right of all children to be protected from all forms of violence, abuse, neglect and exploitation, as set forth in the UN Convention of the Rights of the Child:

"States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse.¹"

The African Charter on the Rights and Welfare of the Child identifies some of the problems children face:

"Noting, with concern, that the situation of most African children remains critical due to the unique factors of their socio-economic, cultural, traditional and developmental circumstances, natural disasters, armed conflicts, exploitation and hunger, and, on account, of the child's physical and mental immaturity he/she needs special safeguards and care²"

With guidance from these documents, PAD will: Work within the legal framework of Ethiopia and contribute to national efforts to protect children.

Collaboration with relevant government agencies/ officials at all levels through strengthening child protection welfare systems (e.g. referral systems) and enhancing the capacity of key stakeholders to protect children (e.g. providing training). Collaborate with caregivers and traditional community leadership to protect children within their homes and communities PAD's child protection efforts will adhere to the Model Child Protection Policy and Guidelines of the African Child Policy Forum (endorsed by Ethiopia in 2010) and the Strategy and Operational Plan for Integrated & Multi-Sectoral Response to Violence Against Women and Children and Child Justice in Ethiopia (Federal Ministry of Justice, 2010)

1.2 Definitions of Key Terminology

a. Child

For the purposes of this policy, a *child* is defined as anyone under 18-years-old, in line with the UN Conventions on the Rights of the Child and the Government of Ethiopia.

b. Child Abuse

According to the World Health Organization, *child abuse* constitutes, "all forms of physical and/or emotional ill-treatment, sexual abuse, neglect or negligent treatment or commercial or other exploitation, resulting in actual or potential harm to the child's health, survival, development or dignity in the context of a relationship of responsibility, trust or power."

A person may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm. Children may be abused in a family or in an institutional (e.g. school) or community setting; by individuals known to them, or more rarely, by a stranger.

There are four main categories of abuse:

Physical abuse: Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child, including by fabricating the symptoms of, or deliberately causing, ill health to a child.

Emotional abuse: *Emotional* abuse is the persistent emotional ill treatment of a child such as to cause severe and adverse effects on a child's emotional development~ It may involve: conveying to children that they are worthless or unloved; inadequate or valued only insofar as they meet the needs of another person; age or developmentally inappropriate expectations being imposed on children; causing children frequently to feel frightened; or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of ill-treatment of a child, though it may occur alone.

Sexual abuse: Sexual abuse involves forcing or enticing a child to take part in sexual activities, whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative (i.e. rape) or non-penetrative acts. They may include non-contact activities, such as involving children in production or viewing of pornographic material or encouraging children to behave in sexually inappropriate ways. Children involved in commercial sex work are victims of sexual abuse, whether they perceive themselves as victims or not.

Neglect: Neglect is the persistent failure to meet a child's basic physical or emotional needs, likely to result in the serious impairment of the child's health or development, such as failing to provide adequate food, shelter and clothing, or failure to provide affection, nurturance, stimulation and encouragement.

c. **Child Protection**

Child protection is a broad term to describe philosophies, policies, standards, guidelines and procedures to protect children from both intentional and unintentional harm.

d. **Child Protection Policy**

A child protection policy is a statement of intent that demonstrates a commitment to protecting children from harm and makes clear to all what is required in relation to the protection of children. It helps to create a safe and positive environment for children and to show that the organization is taking seriously its duty and responsibility to protect children.

d. **Duty of Care**

The term 'duty of care' identifies the moral and legal responsibility that all organizations working with children, either directly or indirectly, have to protect children within their care from both intentional and unintentional harm. This responsibility to protect includes preventing abuse from happening by creating child-safe environments which minimize the risk of abuse, and responding immediately and appropriately where abuse does happen.

e. **Staff**

The term "staff" is used broadly and includes employees, trustees, interns, volunteers, and consultants~ *Employee:* A person who works for a salary

Trustee: A member of a board who has been elected or appointed to direct the funds and policy of an NGO

Intern: A person who works for a specific amount of time as an apprentice or trainee to gain vocational experience

Volunteer: A person who works for no salary

Consultant: An expert who offers their skills and experience for a specific task and during a

limited amount of time.

1.3 Our Beliefs, Objectives, and Goal

a. Beliefs

We have developed this policy because we believe that:

Child abuse is never acceptable.

All children have equal (opportunity) rights to protection from abuse regardless of race, religion, language, culture, political persuasion, social group, disability, medical or psychiatric condition, gender or sexual orientation.

Everyone has a responsibility to protect and promote the welfare of children (even those who do not work directly with children).

We have a duty of care for the children we serve.

Children have the right to have their views and wishes taken into account in all matters affecting them. The best interests of the child should always be the most important consideration.

b. Objectives

Overall Objective:

Work within the legal environment of Ethiopia and contribute to national efforts to protect children

Specific Objectives:

- Raise awareness of child protection among staff, children, families and communities
- Support staff to undertake the care and protection of children and to set a good example to others Prevent child abuse from happening by ensuring that PAD follow the set standards and create child-safe environments
- Ensure that where child abuse does happen, damage to the child is minimized and appropriate action is taken to care for and rehabilitate the child

c. Goal

To ensure that all children served by PAD are cared for in an environment where they are safe, protected and where their developmental needs are appropriately addressed.

SECTION 2: CHILD PROTECTION STANDARDS AND STRATEGIES

These standards and strategies are designed to *prevent child abuse* by ensuring that PAD *creates child-safe environments* for the children with whom it works:

2.1 Staff Awareness, Training, and Support

- PAD staff will be given a copy of the program's child protection policy.
- Staffs who raise concerns regarding child abuse will be taken seriously and supported by senior management~
- Emotional support and where possible, counseling, will be available to staff who find the subject of child abuse and protection particularly difficult, and to those who are directly involved in a specific child protection case.
- PAD will provide ongoing staff training, learning opportunities and support as appropriate to ensure staffs are able to uphold their commitment to child protection.
- PAD will incorporate child rights and raise child protection awareness into all program activities, promoting its importance to the community wherever possible.

2.2 Management Structure

Management at all levels will show support for child protection issues and will make time for and encourage communication and feedback in relation to child protection.

2.3 Code of Conduct

The following Code of Conduct clarifies what is appropriate and inappropriate behavior from program staff towards children in order to protect children from abuse, and to protect staff from unfounded accusations of child abuse. Staff should interpret this code in the spirit of transparency and common sense, with the best interest of the child as the best consideration.

NEVER:

- ¾ Spend excessive time alone with children away from others
- ¾ Have children with whom you are working to stay overnight at your home unsupervised
- ¾ Sleep in the same bed as a child/children with whom you are working
- ¾ Do things of a personal nature that a child can do for him/herself, including dressing and bathing
- ¾ Hit or otherwise physically assault or physically abuse children
- ¾ Develop relationships with children which could in any way be deemed abusive or exploitative
- ¾ Develop physical/sexual relationships with children (regardless of the age of majority or age of consent locally)
- ¾ Behave in a manner with children that is inappropriate or sexually provocative
- ¾ Engage in or allow sexually provocative games with children to take place
- ¾ Use language, make suggestions or offer advice which is inappropriate, offensive or abusive
- ¾ Act in ways intended to humiliate, belittle or shame children, or otherwise perpetuate any form of emotional abuse
- ¾ Neglect children; failing to meet their needs through adequate care
- ¾ Discriminate against, show differential treatment, or favor particular children to the exclusion of others
- ¾ Act in any way that may be abusive or may place a child at risk of abuse
- ¾ Knowingly fail to protect a child from abuse
- ¾ Fail to report any suspicions of child abuse to your CPO or a member of senior management

Note: This is not an exhaustive or exclusive list. The principle is that staff should avoid actions or behavior which may constitute poor practice or potentially abusive behavior.

ALWAYS:

- $\frac{3}{4}$ Be aware of situations that may present risks to children (for example, situations where children are particularly vulnerable to harm) and try to avoid them. If unavoidable, take action to minimize the risks
- $\frac{3}{4}$ Plan and organize your work and workplace so that risks to children are managed
- $\frac{3}{4}$ Empower children - discuss with them their rights, what is acceptable and unacceptable and what they can do if there is a problem
- $\frac{3}{4}$ Be attentive to emotional, behavioral and medical indicators of child abuse
- $\frac{3}{4}$ Ensure that a culture of openness exists so that any issues or concerns children have can be raised and discussed
- $\frac{3}{4}$ Ensure that a sense of accountability exists among staff so that poor practice or potentially abusive behavior does not go unchallenged
- $\frac{3}{4}$ Involve children in decision-making, particularly where the decisions affect their lives
- $\frac{3}{4}$ Communicate with children in a way that is appropriate to their age, understanding and preference
- $\frac{3}{4}$ Listen to children, take them seriously and treat them with sensitivity, dignity and respect
- $\frac{3}{4}$ Be a positive role model for the children you work with and for the adults who see the way in which you interact with children
- $\frac{3}{4}$ Guarantee that the best interests of each child are respected over any other considerations, including the need for advocacy and the promotion of child rights.

TRY TO:

$\frac{3}{4}$ Carry out work with children in a public environment in view of others. $\frac{3}{4}$ Avoid situations where you and a child/children are completely unobserved

$\frac{3}{4}$ Be accompanied by a second adult when working with children wherever

2.1 Communications Guidelines

The following standards apply to any and all communications regarding children:

- ¾ Children must be asked for their permission before photos are taken of them except in exceptional circumstances. Where photographs may cause additional harm, there shouldn't be photographs at all (e.g. when children are being sexually exploited)
- ¾ Permission of child/parent/caregiver/responsible NGO will be acquired before any images of a child are used for publicity, fundraising or awareness campaigns.
- ¾ In photographs and images, children will be appropriately clothed and not in sexually provocative poses. ¾ Children will be encouraged to give their own accounts as much as possible rather than having others speaking on their behalf.
- ¾ Children will be represented accurately with an emphasis on dignity; manipulation and sensationalizing images and text will be avoided. Degrading, victimizing or shaming images and text will be avoided. ¾ Images and text which make inaccurate generalizations and/or discriminate in anyway will be avoided. ¾ Information that identifies the location of a child and therefore could put them at risk will not be put in communications.
- ¾ Visitors and consultants must be accompanied by a staff member.
- ¾ Under no circumstances will the visitor or consultant be left alone with a child

2.2 Confidentiality

If a member of staff is concerned that a child they are working with is at risk of or is suffering from abuse, they must report this to PAD senior management staff. The management staff will then decide who else needs to be informed on a strictly *need to know* basis in the best interests of the child, in order to protect the child and their right to confidentiality. All parties making reports on alleged act of violence against a child or their representatives are supported and protected with complete confidentiality.

2.3 Consequences of Staff Misconduct

If any member of staff is suspected of violating PAD child protection policy *in any way*, they will be suspended from all activities and association with the organization while an independent investigation is carried out. The decision to suspend must be taken in combination by a senior manager and is not open to challenge.

If outcomes of the independent investigation determine that someone associated with PAD has committed acts in regard to children (within or outside the context of PAD's work) which are criminal or contravene the principles and standards contained in this document, PAD will take immediate disciplinary action(s). These may include:

$\frac{3}{4}$ Staff: termination

$\frac{3}{4}$ Trustees: termination of Board membership

$\frac{3}{4}$ Volunteers and interns: terminating the relationship with PAD

$\frac{3}{4}$ Consultants/ Contractors: termination of contract

$\frac{3}{4}$ All: reporting /criminal prosecution

When investigating child protection violation concerns or complaints, the process should always be fair and unbiased. Any adverse conclusions will be open to challenge through an appeals process. This means that if a staff member, trustee, intern, volunteer, consultant or contractor has been accused of violating the Child Protection Policy and the complaint has been upheld as a result of an investigation, the accused has the right to appeal this decision. An appeal would mean that a second party would re-examine the evidence to accept or reject the decision. The decision from the appeals process would be considered final.

SECTION 3: GUIDELINES AND PROCEDURES FOR RESPONDING TO CHILD PROTECTION VIOLATIONS

These guidelines and procedures are designed to ensure that where child abuse does happen, damage to the child is minimized and prompt and appropriate action is taken to care for and rehabilitate the child. These guidelines and procedures must be followed whenever: there is suspicion that a child is being abused ;you identify emotional, behavioral or physical indicators of abuse and/or you suspect the abuser an allegation is made that a child is being abused: someone else tells you that a child is being abused and/or the abuser admits abuse to you child abuse is witnessed: you witness abuse a child discloses abuse: the child tells you s/he is being abused It is the duty and responsibility of any person who has concerns about the safety of a child (even those who do not work directly with children, or in the area of child protection) to report their concerns as soon as possible (and always within 24 hours) so that further investigations can be made. In responding to child protection violations it is essential that: Concerns raised regarding child abuse are responded to immediately, professionally and appropriately. Positive steps to ensure the protection of children who are the subject of any concerns are always taken. Children who are the subject of any concerns are kept informed of any child protection measures that may have to be taken and involved in the decision making process, according to their age, level of maturity and capacities.

The child's best interest is the most important factor when child protection measures are considered. The identity of individuals who report cases of child abuse will be temporarily protected, if needed.

3.1. How to respond to a Child's Disclosure of abuse

Things to do:

Stop whatever you are doing and listen to the child attentively

Accept what the child says Keep calm and don't panic

Do not appear shocked or surprised

Do not seek help while the child is talking to you

Look at the child directly

Assure the child that they are not to blame for the abuse

Be honest

Let the child know that you will have to tell someone, but reassure them that only those who need to know will be told, and that it is in their best interest

Try not to repeat the same questions to the child

Never push for information

Never ask leading questions (questions which encourage a child to give one answer over another) Do not fill in words, finish in sentences, or make assumptions

Be aware that the child may have been threatened

Make certain you distinguish between what the child has actually said and the inferences you may have made. Accuracy is very important in this stage of the procedure

Do not permit personal doubt to prevent you from reporting the allegation to your organization's

CPO Things to

say:

"I believe you~"

"I am going to try to help you~"

"I am glad that you told me~"

"It's not your fault~" child can never be held responsible for being abused by others.

Things not to say:

"You should have told someone before~"

"I can't believe it! I'm shocked!"

"No, not him/her, he/she is a friend of mine~"

"I won't tell anyone else~"

"Why? When? How? Where? Who?"

At the end of the disclosure:

Reassure the child that it was right to tell you

Let them know what you are going to do next, for example, that you will speak to the CPO as they will know what to do to help the child in the best way

Immediately seek help, first from the designated CPO

Write down accurately what the young person has told you using the child protection reporting form. Sign and date your notes. Keep all notes in a secure and confidential place for an indefinite period. These are essential in helping your organization/other child protection organizations/the police decide what is best for the child and as evidence as necessary

Seek help for yourself if you feel you need support

SECTION 4: MONITORING AND EVALUATING THE IMPLEMENTATION OF THE CHILD PROTECTION POLICY

4.1. Monitoring

The implementation of the *Child Protection Policy* needs to be monitored and evaluated regularly. PAD management committee will monitor all reports of child abuse and subsequent child protection cases that occur within its programs and projects. PAD's monitoring of child abuse will be ongoing and will include recording the scale of the problem, recognizing patterns and trends, identifying particular risks to children, and most importantly, evaluating the effectiveness of its policy on child protection.

ANNEX

Annex A: PAD Child Abuse Reporting Form

If you are worried that a child is being abused you must report your concerns directly to your organization most appropriate person. You must also complete this form to the best of your knowledge either before or after reporting the incident .This form will be kept in a secure and confidential place and the information on it only shared with those who need to know based on the best interests of the child.

Job Title: _____

Location: _____ Your Contact Details: _____

Your relationship to the child, if relevant: _____

About the child: Name: _____ Circle: Male Female Age: _____

With whom does the child lives: _____ Child's address: _____

About your concern: Are you reporting your own concerns or passing on those of someone else?
If you are passing on the concerns of someone else, include their name and their

Please give a brief description of why you are concerned. Include dates, times and the location of any specific incidents, name of any witnesses and names(s) of alleged abuser:

Have you spoken to the child? If so, what was said?

Where any relevant observations made (emotional, physical or behavioral indicators)?

Any other relevant information not previous covered?

Have you reported this concern to anyone else? If so, give details of who you have spoken or reported to (name of person, name of organization, their contact details, date and time which you spoke to them).

Is the child in immediate danger? Yes ~ No ~

Are you in immediate danger?

Does the child require medical attention? _____

I confirm that the information I have given is true and complete to the best of my knowledge:

Signature: _____ Date _____

For the PAD officer:

Outline the immediate action taken (e.g., parents or caregivers informed of the abuse, child was moved from their home, given medical treatment, etc.). If further action was not taken, you must state why.

Annex B: PAD Post-abuse Care Planning Form

If a it is confirmed that a child has been abused, they must decide on an appropriate course of action that works towards the longer term rehabilitation of the child. This course of action must be recorded on this form and the officer must oversee and monitor the child's progress~

About the child: Name: _____ Circle: Male Female Age: _____

With whom does the child live: _____ Child's address: _____

Outline the child's current situation:

Outline what would help the child to recover from the abuse (e.g., medical treatment, a new place to live, involvement in youth activities, counseling, etc.):

Care Plan: List the actions you will take or oversee to support the child:

Action:
person:

By when:

Key

1.

3.

4.

4. _____

Signatures of child, CPO and child's parent/caregiver as appropriate :(Sign and print name)

Child: _____ Date: _____ Signature: _____

CPO: _____ Date: _____ Signature: _____

Parent/caregiver: _____ Date: _____
Signature: _____

Signatures of others involved in the child's care and rehabilitation as appropriate:

Name: _____ Signature: _____ Date: _____

Relationship to child: _____ Name: _____

Name: _____ Signature: _____ Date: _____

Relationship to child: _____