

Child Protection Guidelines

PURPOSE

Humanitarian Efforts for the Learning of the GirlChild in Africa (HELGA) was founded with the main aim being of rescuing of girls from Harmful Traditional Practices (HTP) but has since over time manifested itself as an umbrella of women and youth groups in empowering them social-economically. Women were under represented at all levels and for the girl child to have success it was imperative that we achieve equality in the community through “Engage + Empower = Equality”.

Throughout all our efforts, we are dedicated to providing a safe environment for children who participate in programs of HELGA, wherever they may be carried out. HELGA is committed to upholding the U.N. Convention on the Rights of the Child, and all organizations that work as contracted parties with HELGA are required to comply with the entirety of that convention, the key principles of which have been incorporated into the guidelines contained within this document.

This document outlines the minimum guidelines for child protection policies (“Guidelines”) required to be adhered to by all organizations that work with HELGA in carrying out its programs involving children. The Guidelines illustrate HELGA’s commitment to support and respect children’s rights to be protected from violence and abuse. It articulates HELGA’s zero tolerance approach to child abuse and exploitation and HELGA’s commitment to provide a safe environment for children who are involved with any programs of HELGA.

STATEMENT OF PRINCIPLES

Article 19 of the UN Convention on the Rights of the Child asserts children’s right to protection ‘from all forms of physical or mental violence, injury and abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has care of the child.’

Child abuse and exploitation occur throughout the world and in all societies, and involves the physical, sexual, emotional abuse and neglect of children and adolescents. HELGA endorses the principles and articles of the United Nations Convention on the Rights of the Child and is committed to supporting and respecting children's rights and protecting children from harm. HELGA takes its responsibility to protect children from all forms of violence very seriously and will not tolerate any form of abuse or exploitation of children in the programs of HELGA.

SCOPE

The Guidelines contained within this document apply to all organizations and individuals who are involved in carrying out HELGA programs directed at assisting children. These include but are not limited to: contractors, sub-contractors, (including their employees, volunteers, directors and officers and any other personnel), as well as any consultants or affiliates that may work with such contractors or subcontractors, as applicable (collectively referred to as "Organizations" throughout this document).

All Organizations are required to adopt their own child protection policy that reflects the Guidelines contained herein as minimum requirements, subject to applicable local laws as may be recommended by legal counsel for each Organization. The child protection policy for each Organization may, in the discretion of the Organization, reflect requirements that exceed the Guidelines that are contained in this document, but they may not be lower.

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DEFINITIONS

The child protection policy for each Organization needs to reflect the definitions below. The definitions also apply to the Guidelines and to this document as a whole.

A Child (or Children) is defined as any person, of either sex who is or appears to be under the age of 18 years, unless the national laws in which the Organization is carrying out the Children's programs prescribe a lower age of majority.

Best Interests of the Child: The principle of best interests applies to all actions concerning Children and requires active measures to protect their rights. These measures should promote Children's survival, growth, and well-being, and support and assist parents and other caregivers to realize Children's rights.¹ This includes Child participation to ensure that the opinions of Children are heard in matters affecting them.

Child Protection: The responsibility, actions and measures taken to prevent and respond to abuse, exploitation and violence against Children.

Child Abuse: Includes physical abuse, sexual abuse, neglect/failure to provide, emotional maltreatment and exploitation of Children;

Physical abuse is the deliberate application of force to any part of a Child's body, which results or may result in a non-accidental harm or injury to the Child. Physical abuse may include shaking, choking, biting, kicking, burning, poisoning, holding a Child under water, or any other harmful or dangerous use of force or restraint.

Sexual abuse occurs when an adult or youth uses a Child for sexual purposes. Sexual abuse includes fondling, intercourse, incest, sodomy, exhibitionism, and commercial exploitation through prostitution or the production of pornographic materials. Sexual abuse may include, but is not limited to, permitting, encouraging or requiring a Child to engage in any of the following activities if they occur between an Organization's personnel and a Child:

- To promote gender equality, advance the rights of the vulnerable and empower them to be agents of change in their community.
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- using or engaging in sexually provocative language, acts or conduct towards a Child;
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- rough-housing or engaging in conduct which involves physical contact with a Child and which is sexually suggestive in nature;
 - kissing, fondling, caressing, patting or pinching a Child or engaging in sexual intercourse or other sexual conduct designed to sexually stimulate either the Organization's personnel or the Child or both;
 - using sexual remarks, jokes, innuendo or taunting about a Child's body or sexual orientation or uttering, either verbally or in writing, invitations, requests or sexually suggestive remarks or displaying pornographic or sexually suggestive material to a Child;

¹ Best Interests of the Child is one of the four guiding principles of the Convention on the Rights of the Child. See also, 'General Comment No. 7, International Human Rights Instruments', HRI/GEN/1/Rev.8/Add.1, (United Nations, June 2007),7.

- conduct of a sexual nature for the stimulation, gratification, profit and self interest of an Organization's personnel who is in a position of trust or authority or with whom the Child is in a relationship of dependency; and/or
- prostitution or production of material of a pornographic nature.

Neglect/failure to provide occurs when a Child's parent(s)/legal guardian(s) or caregivers do not provide the requisite attention to the Child's emotional, psychological, or physical development when they have the means, knowledge and access to services to do so; or failure to protect the Child from exposure to danger.²

Emotional abuse involves acts or omissions by parent(s)/legal guardian(s) or caregivers that cause or could cause serious behavioural, cognitive, emotional, or mental disorders. Emotional maltreatment can include verbal threats, socially isolating a Child, intimidation, exploitation, terrorizing, or routinely making unreasonable demands on a Child.

Exploitation refers to situations whereby an abuser makes unfair profit and/or takes advantage of – unequal power and/or economic status of a Child.

Symptoms of Child Abuse that Organization personnel can watch for to recognize Child Abuse, may include, but are not limited to the following:

Physical signs, such as:

- Lacerations and bruises
- Nightmares
- Irritation, pain, or injury in the genital area
- Difficulty with urination
- Discomfort when sitting
- Torn or bloody underclothing
- Venereal disease

²United Nations, *World Report on Violence against Children* (2006), 54.

Behavioural signs, such as:

- Anxiety when approaching the Organization's premises or a room used for Programs with Children
- Nervous or hostile behaviour towards adults
- Sexual self-consciousness
- Acting out of sexual behaviour
- Withdrawal from activities and friends

Verbal signs, such as the following statements:

- I don't like (insert name).
- (Insert name) does things to me when we are alone.
- I don't like to be alone with (insert name).
- (Insert name) fooled around with me.

MINIMUM GUIDELINES FOR CHILD PROTECTION

All Organizations that HELGA partners with are required to adopt their own child protection policies which reflect the following guidelines as minimum requirements ("Guidelines"):

To promote gender equality, advance the rights of the vulnerable and empower them to be agents of change in the community..

1. Prevention

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Each Organization must take appropriate measures to address risk factors and prevent abuse and exploitation before it occurs. Prevention measures should include organizational policies, procedures and codes of conduct for protecting children; capacity building for all those who work with children; awareness raising and good practice for minimizing the risks to children.

2. Screening Procedures

Prevention measures should include detailed screening procedures for all personnel (which term includes employees and unpaid volunteers) who will come into contact with Children, including the following, as may be applicable in each country: certificate of good conduct, police reference checks or equivalent, verification that applicants are not listed in national registries of child offenders; a detailed application and interview process;

references who support the applicant's suitability to work with Children. Any certificate of good conduct, police reference check or equivalent that is obtained should be updated by the Organization on a regular basis, where possible.

3. Acknowledgement

Each applicant who wishes to work with Children should be required to sign an acknowledgment form confirming that he/she agrees to comply with the Child protection policy of the Organization and that he/she understands that disciplinary action will be taken against anyone found guilty of Child Abuse.

4. Awareness

The Organization should ensure that all personnel, sub-contractors, consultants or affiliates involved with Children's programs are aware of child protection risks, policies and procedures; including national laws and international instruments, as applicable.

5. Gender Equality and Non Discrimination

The Organization should ensure that all Child protection policies and procedures take into account gender equality and non-discrimination requirements. Recognizing that girls and boys may face different risks relating to their safety and protection and that all Children have the equal right to protection, irrespective of: race; colour; sex; language; sexuality; disability; religion; political or other opinions; national, social or indigenous origin; property; birth or other status.

part together, equality, advance the rights of the vulnerable and empower them to be agents of change in the community..

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6. Capacity Building

The Organization should develop the capacity of all who work with and for Children to appropriately prevent, detect and respond to Child abuse and exploitation as reflected in these Guidelines. Efforts should be made to ensure organizational policies and practices are understood and can be effectively implemented through on-going training courses for all employees and volunteers and other personnel of the Organization.

7. Participation of Children

Children must be actively, meaningfully and ethically involved in all aspects of preventing, responding and monitoring incidents of abuse and exploitation. Children must not be treated as simply objects of concern but rather listened to and taken seriously and treated as individual people with their own views.

8. Reporting Mechanisms for Children and Staff

Mechanisms should be established that enable Children to safely report any concerns relating to their well-being, safety and protection. Children should be aware of the mechanisms available to them and services should be confidential, Child friendly and accessible to Children. The Organization's personnel should be able to identify Child protection concerns and professionally report them, taking into account the best interests of the Child.

Where there are reasonable grounds to suspect Child Abuse, the Organization's personnel should report the suspected abuse to the appropriate governmental authorities and parent(s) / legal guardian(s) or caregivers of abused Children in accordance with the laws of the applicable country.

9. Response and Follow Up

Organizational policies and procedures should include appropriate measures to support and protect Children when concerns arise. All measures taken to respond to abuse or exploitation shall respect Children's rights, local laws and take into account the best interests of the Child and endeavour to ensure no further harm comes to the Child as a result of any actions taken by the Organization. Efforts to work in conjunction with other service providers, specialists, parents, legal guardians, caregivers and others should be explored when appropriate. After any incident or report of abuse and exploitation, proper measures should be taken to ensure organizational learning, evaluation and follow up takes place.

The Organization should retain written records of all reports of Child Abuse, including, but not limited to the date of the report and the date of the alleged abuse, the name and address of the Child and his/her parent(s) / legal guardian(s), the name of the Organization personnel who made the report, the name of the governmental contact to whom the report was made and a clear description of the facts that led to the report, as well as any other available information. The Organization should advise its insurance provider of the complaint of Child Abuse and retain records of any such reports. The Organization should also advise HELGA of any complaints of Child Abuse either in writing or by email.

All such records should be kept within the files of the Organization in accordance with the privacy and confidentiality policies of the Organization.

10. Implementation, Monitoring and Review

The implementation and monitoring the child protection policy for each Organization should be designated to a specific employee within the Organization. The designated employee should have the duty to review the policy at regular intervals as determined necessary by the Organization, preferably at least every three (3) years, where possible.

11. Sanction and Discipline of Organization personnel

The Organization should include within their Child protection policies a statement indicating that where an allegation is made that an Organization's personnel has committed Child Abuse, the accused personnel should be immediately suspended from all duties with the Organization (with pay, if applicable) to protect Children from further potential harm. Where an Organization's personnel is convicted of Child Abuse, the said personnel should be immediately terminated with cause from his or her position. Where an Organization's personnel is terminated as an employee or volunteer, such personnel should not be permitted to enter onto the Organization's premises or participate in activities of the Organization following termination.

12. Informed Consent

The Organization should provide Children and their parent(s)/legal guardian(s) with all necessary details to make an informed decision regarding their participation in programs and activities, including any voice recordings, video or photographs of children. Children and their parent(s)/legal guardian(s) should understand how their images may be used and be supported to identify and evaluate any associated risks. Personal information and/or images of Children should only be used after informed consent has been obtained in writing from both the Child and his/her parent(s)/legal guardian(s).

13. Protection of Personal Information.

Personal information regarding any Child or Children, whether or not such information is obtained as part of the programs involving Children, should not be disclosed to any third party, except in accordance with the policies of the Organization or as required by applicable local laws. Personal information includes, but is not limited to, any information that can be linked to a Child or used to identify a Child.

14. Medication:

An Organization's personnel should not give or apply any medication to Children.

15. Code of Conduct for Organizational personnel

Each Organization is required to ensure that their personnel avoid any behaviour or conduct that compromises the safety and protection of Children within its activities, operations and programs.

Organizational personnel MUST:

Prevent

- Be aware of potential risks and take appropriate action so as to minimize risks
- Create an environment where concerns can easily and safely be raised and discussed
- Recognize and remedy potential situations which may lead to violent acts against Children

Create a Child Friendly Environment

- Contribute to an environment where Children are respected and encouraged to discuss their concerns and rights
- Ensure that Children are aware of their rights, policies and resources which are available to them if there is a problem
- Work with Children to define what is acceptable or unacceptable behaviour with adults

Report and Respond

- Report any Child abuse and protection concerns and take appropriate actions
- Ensure the Child and, if appropriate, his/her parents or guardians are well-informed and participate in the decision-making and the types of intervention agreed upon

Organizational personnel MUST NEVER:

- Abuse or exploit a Child or behave in any way that places a Child at risk of harm
- Exchange money, gifts, employment, goods or services for sex with a Child, including sexual favours or other forms of humiliating, degrading or exploitative behaviour or any other behaviour that could be deemed exploitative of a Child.
- Have a Child they are working with stay overnight at their home unsupervised or sleep in the same room or bed with a Child
- Do things for Children of a personal nature that they can do for themselves

- Offend, insult, humiliate or degrade children or perpetrate any form of emotional abuse
- Discriminate or provide favourable treatment to one Child
- Kiss or coaxing a Child to kiss the Organizational personnel
- Engage in extended hugging, tickling or coaxing of a Child to hug the Organizational personnel
- Touch a Child in any area that would be covered by a bathing suit.
- Carry a Child or have them sit on the lap of the Organizational personnel.
- Be alone with a Child.
- Engage in prolonged physical contact with a Child.
- Restrain a Child.
- Discipline a Child using any form of physical contact, or emotional or psychological pressure, abuse or intimidation.

The above is neither an exhaustive nor exclusive list and the Organization should consider all related actions and behaviour which *may* compromise the rights and protection of Children.

