

CIVIL SOCIETY LEGISLATIVE ADVOCACY CENTRE (CISLAC)



CHILD PROTECTION POLICY¹

CORE POLICY

¹ This Child Protection Policy is adapted through the permission of the SOS Children Villages Child Protection Policy and approved by CISLAC Board of Trustees

1. THE POSITION OF CIVIL SOCIETY LEGISLATIVE ADVOCACY CENTRE (CISLAC)

1. WHAT WE STAND FOR

CISLAC is committed to creating and maintaining a caring and protective environment which promotes its core values, and prevents and addresses child abuse and exploitation. We strongly condemn all forms of child abuse and exploitation, be it within or outside of our organization, and always respond to any case of proven, alleged or attempted abuse within our sphere of influence according to its nature. Efforts ensure that mechanisms are in place to raise awareness, aid prevention, encourage reporting and ease response. They range from human resource development actions such as training and counselling to measures such as suspension, dismissal, and legal action.

2. OUR POLICY IS BASED ON

- The CISLAC's, vision, mission and values
- The United Nations Convention on the Rights of the Child (UNCRC)
- The standards on child protection as defined by the Keeping Children Safe Coalition

CREATING AND MAINTAINING A CARING AND PROTECTIVE ENVIRONMENT

CHILD SAFETY IS EVERYBODY'S BUSINESS

CISLAC works in accordance with the UNCRC: The best interest of the child is our primary consideration. Every child has the right to develop to his or her full potential, to quality education, participation and non-discrimination. Everybody has the responsibility to protect children from all forms of abuse, abandonment, exploitation, violence and discrimination.

INTRODUCTION

This policy document is binding for all CISLAC Board Members, Management and Staff. Based on this policy paper, each of the above-mentioned shall define clear reporting and responding structures, as well as consistent crisis management plans as it works out its own approach to bring child protection to life in within the organisation and in the country.

Every child is potentially at risk of abuse and exploitation. Some girls or boys may be more vulnerable to abuse and exploitation, due to various forms of discrimination and marginalisation relating to their socio-economic status, gender, disability, ethnicity, caste, or living situation. Therefore, it is crucial that every person connected with CISLAC understands child abuse, as well as his or her own role and responsibilities in protecting children.

Any definition of child abuse, first requires a definition of the child. According to the UNCRC, a child is “every human being

below the age of 18 years unless national law recognises the age of majority earlier”.

We recognise that child abuse and exploitation takes place in all countries and societies around the world. Trying to define it as a world phenomenon is still difficult because of the vast cultural, religious, social, political, legal and economic differences that children experience. CISLAC respects all cultures and religions; within a broad intercultural and interdisciplinary approach we have created a unified frame.

In order to prevent and respond to child abuse, it is crucial that we as an organisation reach a common understanding as to what child abuse is and in which circumstances our policies and procedures apply. Furthermore, CISLAC is committed to broader awareness-raising, prevention and advocacy work within families,

communities and national authorities to promote the protection of children’s rights.

The UNCRC provides an international framework outlining children’s rights to

protection from abuse and neglect (article 19), discrimination (article 2) and different forms of exploitation (articles 32-36); special consideration is given to children deprived of parental care (article 20), refugee children (article 22), children at risk of developing a drug habit (article 33), children who are deprived of their liberty (article 37, 40), and children in situations of armed conflict (article 38, 40).

It is often the case that the abuser is a person

close to the child and whom the child trusts. Through this policy we want to positively influence the practices of families within CISLAC programmes and the community. CISLAC further recognises the importance of children's participation, empowering girls and boys to speak up against all forms of abuse, acting as agents of self-protection and the protection of their peers.

**EMPOWERING
CHILDREN
TO SPEAK UP
AGAINST ABUSE**

GOALS OF THE CHILD PROTECTION POLICY

This policy aims at:

- preventing cases of child abuse and reducing the number of incidents (child-to-child, adult-to-child) in facilities and programmes of CISLAC,
- making children aware of their rights and their active role in child protection,
- informing children, co-workers, board members, family and community members, volunteers and partners (sponsors, donors, journalists, governmental authorities, etc.) about the child protection policy and related procedures (awareness, prevention, reporting, responding),
- encouraging co-workers directly involved with children to apply the skills needed to contribute to each child's development and protection,
- ensuring that all co-workers have the working conditions needed to contribute to each child's development and protection,
- fostering open and honest discussions on child abuse in national meetings and workshops in all programmes and facilities amongst all stakeholders (children, young adults and their families, child and youth care co-workers, management staff, board members, PR and fund-raising staff, teachers, maintenance and security staff, etc.),
- putting in place fair, secure and transparent reporting channels in all types of programmes that guarantee the right of stakeholders (children, parents, staff) to be heard,
- forming an active network of protection so that all children and adults in our organisation are safe and protected.

WHAT IS CHILD ABUSE? – DEFINITIONS AND

TERMINOLOGY Definitions of the four main categories of

abuse¹:

PHYSICAL ABUSE is the actual or potential physical harm caused by an action or lack of action, which is reasonably within the control of the parent or person in a position of responsibility, power, or trust. Physical abuse may involve hitting, spanking, shaking, throwing, poisoning, burning or scalding, drowning and suffocating. It can also mean causing physical harm to a child by fabricating the symptoms of, or deliberately causing, ill health to a child. The incidents may be single or repeated.

SEXUAL ABUSE is evidenced by an activity between a child and an adult or another child who, by age or development, is in a relationship of responsibility, trust or power; the activity being intended to gratify or satisfy the needs of the other person. Child 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 and penetrative or non-penetrative acts. This may also include involving children in looking at, or in the production of, pornographic material, or encouraging children to behave in sexually inappropriate ways.

NEGLECT AND NEGLIGENT TREATMENT is the inattention or omission on the part of the caregiver to provide for the development of the child in: health, education, emotional development, nutrition, shelter and safe living conditions, in the context of resources reasonably available to the family or caretakers and which causes, or has a high probability of causing, harm

to the child's health or physical, mental, spiritual, moral or social development. This includes the failure to properly supervise and protect children from harm as much as is feasible.

EMOTIONAL ABUSE is the persistent emotional ill treatment of a child that adversely affects his or her self-perception and development. It may involve conveying to the child that he or she is worthless, unloved, and inadequate, or there only to meet the needs of another person; or imposing inappropriate expectations upon him/her. Acts include restricting movement, threatening, scaring, discriminating, scapegoating, corrupting, ridiculing, degrading, bullying, humiliating (e.g. asking potentially embarrassing questions, demanding potentially embarrassing action) or other non-physical forms of hostile or rejecting treatment.

Specific Considerations:

CHILD-TO-CHILD ABUSE

Allegations or concerns regarding the abuse of a child by another child need to be responded to with particular sensitivity; nevertheless, they have to be dealt with through the child protection procedures. All work with young people who have committed abuse requires an effective approach

which ensures the protection of people affected, while at the same time supporting the young person in challenging and changing his/her behaviour. Any such approach requires:

- the recognition that a child who has abused another child differs significantly from adults who have committed similar offences, as the child is not fully aware of why he or she has committed abuse and what the consequences are
- keeping in mind that the best interest of the child is the primary consideration in all decisions made - for both the victim and the abuser.

VIOLATION OF CHILDREN'S PRIVACY

The protection of a child's privacy refers to private data of the child as well as pictures, texts, films, etc. about children which are produced for publicity purposes:

Any information about a child's history, medical condition and family background has to be stored carefully in CISLAC's administration. These data are to be handled confidentially and with discretion.

Children and even their parents or caregivers might not always be aware of a specific form of emotional abuse which might occur in fundraising, public relations or communication. A child's privacy is, for instance, violated by the production of unauthorised publicity material (pictures, films, texts, etc.) featuring the boy or girl; or by presenting sensitive information within a context that reveals the child's identity. CISLAC "respect[s] the children's right to privacy"². All co-workers and external partners involved in spreading information on children and in creating and distributing publicity material act according to the following guidelines:

- When producing publicity material featuring a child, we ask both the child and his or her legal guardian (or at least an adult caregiver of the child) for permission to do so.
- We do not actively ask children to do or say anything that might make them feel displayed as 'objects of pity' (e.g. to speak about their past or ask for donations).

- We handle children's names carefully, especially in connection with sensitive information about the same children (e.g. the family background, their medical condition, disability or negative behaviour).
- We act with caution when it comes to combining textual and visual information whenever a text includes sensitive information about a child and whenever a photo or video track shows sensitive aspects of a child's life and reveals his or her identity.

Following these guidelines ensures the respect of the children's privacy while at the same time preventing, and raising awareness for, violations of that privacy. Based on these guidelines, co-workers who are directly involved with children have the right and obligation to protect the children from any attempted violations of their privacy – be they intentional or not.

STAKEHOLDERS

Child protection is everyone's business. It is an integrated part of our work and affects everyone in CISLAC and anyone who comes into contact with our organisation. The specific approach is defined by each member association based on the Child Protection Policy on hand.

- Children (below 18 years of age)
- Young adults (18 years of age or older attending CISLAC programmes)

KEY MESSAGES FOR CHILDREN AND STAKEHOLDERS

- **children**
 - *You have rights – and this includes the right to say 'No'.*
 - *Violence is not allowed.*
 - *We listen to you and take you seriously*
 - **Administrative, maintenance and security staff**
 - **Management Staff**
 - **Board members**
 - **Sponsors, donors, journalists and visitors**
 - **Partners of other organisations who work and interact with our organisation**
 - **External contractors and consultants who provide services**
- *Protection is everybody's business; you are part of the team.*

IMPLICATIONS FOR THE ORGANISATION

WHAT WE DO – KEY PARTS OF THIS POLICY

AWARENESS OF THE PROTECTION OF THE CHILD'S PRIVACY

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| a. | AWARENESS: | Raise awareness of child abuse and its risks |
| b. | PREVENTION: | Provide guidance on how to safeguard children from abuse |
| c. | REPORTING: | Set up and adhere to a clear and simple reporting procedure |
| d. | RESPONDING: | Ensure clear action is taken when child abuse is suspected or |

a. AWARENESS

The development of an open and responsive culture in CISLAC and within the communities we are active in is essential for safeguarding children. We as an organisation and as individual co-workers need the courage to break the silence and taboo of discussing child abuse. Through protected, clear, and honest communication we give and receive both positive and critical feedback.

It is crucial to observe the following basic considerations:

1. Everyone connected to CISLAC should understand child abuse in all its implications.
2. We should provide regular opportunities to discuss children's rights and child protection (for example in meetings, informal discussions, or in performance appraisals).
3. We provide regular opportunities for girls and boys (of different ages and backgrounds) to voice their concerns, so that any protection concerns may be heard and addressed.
4. The best interests of the child should be the guide of our child protection process. In cases of conflicting interests, we give priority to the child's welfare.
5. Roles and responsibilities regarding child protection are clearly defined and communicated.
6. All employment contracts and codes of conduct signed by co-workers and representatives of the organisation also refer to the child protection policy.

b. PREVENTION

To prevent child abuse we need to create and maintain an environment which promotes our organisation's core values in CISLAC.

CREATING AND MAINTAINING

A wide range of actions can support that: The main focus is on implementing suitable human resource recruitment and development approaches. Combined with this, it is essential that we listen carefully to children, take their views seriously, encourage them to participate in discussions on child protection issues, and offer them the opportunity to build trust-filled relationships. It is clear that child abuse is less likely to occur within a context that fosters child participation at all levels.

1. The highest standards of selection, recruitment and verification procedures are applied. Applicants for any position, whether co-worker or volunteer, should disclose any previous criminal record.
2. All co-workers receive adequate training and sign the code of conduct confirming their

understanding of, and commitment to, our child protection policy.

3. All co-workers are provided with orientation regarding the child protection policy during the first month of their employment.
4. Through training and the sharing of experiences, we learn the difference between appropriate and inappropriate behaviour.
5. We support awareness raising and capacity building of parents, community and religious elders on positive discipline, as alternatives to corporal punishment.
6. Through our advocacy work within communities and societies, child protection systems are strengthened which better prevent and respond to issues of child protection raised by girls or boys.

c. REPORTING

We take all concerns raised seriously – be it in CISLAC as an organisation, or other programmes – and take appropriate action. Managers define and implement clear reporting and responding procedures, including internal communication lines, and defines the roles and responsibilities of all people involved.

1. Confidentiality is of utmost importance when dealing with cases of abuse; information is to be handled with sensitivity. The child or any other person who gives information regarding child abuse must be made aware that if he or she reports the case, information about the alleged abuse will be shared only with those authorised to have access to this information, i.e. the elected child protection team and other persons involved.
2. Every staff is obliged to immediately provide any information he or she has regarding a possible case of child abuse to a member of the child protection team. Any adult who withholds information or covers up any kind of abuse is considered an accomplice.
3. Children, co-workers or other adults who make reports are supported and protected. A person accused of child abuse is given a fair hearing.

d. RESPONDING

All forms of child abuse are taken seriously, without exception and CISLAC, and are responded to according to the gravity of the offence. We ensure that there is always a response, regardless of whether the abuse committed is considered large or small. By responding we guarantee that a transparent and fair procedure is followed, so that nobody is falsely convicted and the rights of everyone involved are protected.

1. In all cases of suspected or proven child abuse or neglect, the focus is placed on safeguarding and protecting the child.
2. In all abuse cases, an internal investigation is carried out by a neutral person who is not involved in the case. This person presents the findings of the investigation to the organisation management and subsequently to the board, which makes a decision on further steps.
3. If abuse is committed by an adult, depending on the level of abuse, legal steps are taken
4. There is clear leadership, with one person responsible for handling information and internal and external communication regarding child abuse incidents within the national association. This person is supported by the child protection team.
5. Decisions and actions are taken quickly.
6. Cases are reported to child welfare authorities according to a procedure defined by organizational directives
7. Written records of all reported abuse cases and their conclusions are kept in the organisation.

THERE IS
ALWAYS
A RESPONSE

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