

KIDSHELP KAMBODSCHA Child Protection Policy

:: INTRODUCTION

Child abuse happens in all societies throughout the world. The child abusers can be anyone, including those who work and care for children. We aim to provide safe and friendly environments where children can develop and grow in a healthy way. The guidelines in this Child Protection Policy protect both the child from abuse and adult from false accusation.

The UN Convention on the Rights of the Child¹ states that:

- All children have equal rights to protection from abuse and exploitation.
- Everybody has a responsibility to support the care and protection of children.
- The duty bearers are accountable to eradicate child abuse.

Based on the above guiding context and principles, KIDSHELP KAMBODSCHA e.V. (further on referred to as KIDSHELP KAMBODSCHA) is committed to ensure that all children are protected from any form of abuse or maltreatment.

:: DEFINITIONS

A child means every human being below the age of eighteen years.

Child abuse or maltreatment 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 power².

Child Protection Policy is a statement of intent that demonstrates a commitment to safeguard children from harm and make 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 organisation is taking its duty of care seriously.

:: STATEMENT OF COMMITMENT

As an organisation that works with children, our first priority is their safety and wellbeing. We are committed to a strict child protection policy to ensure the children are not exposed to any form of abuse or maltreatment. This policy conforms to the general principles of the UN Convention of the Rights of the Child as follows:

¹ UNGA 1999: Convention on the Rights of the Child

² WHO 1999: Report of the Consultation on Child Abuse Prevention, 29-31 March 1999, WHO, Geneva

Best Interests of the Child: The best interests of the child will be our primary consideration. All decisions and actions concerning a child will serve the best interests of the child. When weighing up alternatives we will seek to ensure that the final decision or action arrived at will be that in which the child receives the maximum benefit possible. We will at all times consider the impact a decision or action will have on the child and ensure the positive impacts outweigh any negative impacts.

Non-Discrimination: We will enforce a policy of non-discrimination at all times and all children will be treated with respect and love equally, regardless of race, gender, national origin, colour, ethnicity, religion, disability, or any other characteristics.

Participation and Self-Determination: We abide by the principle that a child has the right to have his or her views taken into account in accordance with their age development in major decisions affecting their life. They will be given the opportunity to express their ideas and views and be heard on matters affecting them. We will in all cases give serious consideration to the child's wishes (and those of their legal guardians where appropriate) throughout the decision-making process. All children have the right to self-determination.

Guiding frameworks: The guiding principles for KIDSHELP KAMBODSCHA's Child Protection Policy are:

- The Universal Declaration of Human Rights
- The UN Convention of the Rights of the Child (CRC)
- The Cambodian Constitution

1. WHO THIS POLICY APPLIES TO AND RESPONSIBILITY FOR IMPLEMENTATION

This policy applies to all associates of KIDSHELP KAMBODSCHA: interns, volunteers, staff members, board members, counterparts, consultants, contractors, partner organisation members and visitors and at all times (on and off duty).

The KIDSHELP KAMBODSCHA Country Director will be responsible for the effective implementation of the Child Protection Policy. It is her/his responsibility to ensure that the Child Protection Policy is distributed to and understood by all KIDSHELP KAMBODSCHA associates. She/he has to distribute copies of the KIDSHELP KAMBODSCHA Child Protection Policy to all associates and to get written confirmation that they acknowledge that they have received and read the policy, that they understand their responsibilities under this policy and that they will comply with it.

In case the Country Director changes, it is the responsibility of his predecessor and the first chairperson to make sure that the new director understands and acknowledges the KIDSHELP KAMBODSCHA Child Protection Policy and her/his responsibilities under this policy.

KIDSHELP KAMBODSCHA will ensure the Child Protection Policy remains relevant and effective. KIDSHELP KAMBODSCHA will consistently monitor all risks pertaining to the Children and when needed make any necessary changes to the Child Protection Policy.

2. VISITORS TO THE SCHOOL

No visitors to the Khemara Kidshelp School should be allowed unless prior arrangements have been made with the KIDSHELP KAMBODSCHA personnel in Cambodia.

3. STAFF RECRUITMENT AND SCREENING

1. Advertisements for job vacancies will make clear that KIDSHELP KAMBODSCHA is committed to child protection and that prospective staff members' commitment to child protection must be a condition of employment.
2. All prospective KIDSHELP KAMBODSCHA associates will be informed of KIDSHELP KAMBODSCHA's Child Protection Policy at the start of any recruiting process.
3. All prospective KIDSHELP KAMBODSCHA staff members, including volunteers, will be asked to submit their criminal records.
4. KIDSHELP KAMBODSCHA reserves the right to terminate a contract if reference checks (or future background checks) reveal that the person is not suitable to work with children or for any reason that may put children at risk.

4. AWARENESS RAISING AND EDUCATION

1. KIDSHELP KAMBODSCHA is committed to make all KIDSHELP KAMBODSCHA's associates aware of the issue of child protection and Child Protection Policy.
2. KIDSHELP KAMBODSCHA will create an open culture, encouraging opportunities for staff to raise concern, to question, to discuss, to give feedback, and to learn about child protection issues. This will be done during staff meetings, through training and on other occasions.

5. COMMUNICATIONS ABOUT CHILDREN

1. KIDSHELP KAMBODSCHA will ensure the protection, privacy, dignity and best interests of each child during all communications.
2. Children have to be adequately clothed in photographs or images taken of them and not in poses that could be interpreted as sexually suggestive.
3. Before photographing or filming a child, obtain consent from the child or a parent or guardian of the child.

6. REPORTING AND INVESTIGATING ABUSE OR SUSPECTED ABUSE

1. All KIDSHELP KAMBODSCHA staff and associates have a responsibility to immediately report all reasonable suspicions of child abuse or maltreatment conducted by anyone to the Country Director as well as to the First Chairperson. To do so they should fill in and send the reporting form (see attachment A) to info@kidshelp-kambodscha.org and michael@kidshelp-kambodscha.org.

2. Any report on child abuse or maltreatment will be taken seriously and KIDSHELP KAMBODSCHA will take appropriate steps to help the children involved. All reports of potential abuse are confidential and will not be disclosed, other than to law enforcement in the case of any referral to law enforcement, unless disclosure is authorised by the KIDSHELP KAMBODSCHA Country Director and the First Chairperson.

KIDSHELP KAMBODSCHA Code of Conduct

Our beneficiary's long term safety and wellbeing are our highest priority. While our main beneficiaries are children under the age of 18, we are working for and with people of all ages. When working for KIDSHELP KAMBODSCHA, it is your duty to treat all people, no matter if they are beneficiaries or colleagues, with respect and to act according to the following principles.

By signing this code of conduct, you assure that you will:

- Treat all people with respect and contest any form of harassment, discrimination, intimidation, exploitation, maltreatment or abuse.
- Not misuse your position, authority and the trust that is placed in you to take advantage of anybody or to make any form of personal gain.
- Maintain highest standards of integrity by being accountable for your actions and showcasing fairness, honesty, truthfulness and incorruptibility at all times. This includes taking a clear stance against corruption by communicating and demonstrating that KIDSHELP KAMBODSCHA does not provide services or help in return for bribes or favours.
- Will not engage in any form of sexual abuse or exploitation of any persons of any age.
- Not accept or give any monetary or inappropriate gift from or to anybody. If you are unsure whether a gift is inappropriate or not, please report the case to the Country Director.
- Agree to keep the personal data of beneficiaries and associates confidential and to not to share or make this available to others unless required to do so by law or agreed upon by all parties involved.
- Will not disclose any information of a confidential nature related to KIDSHELP KAMBODSCHA during your employment or after employment is terminated, unless that information is in public domain or you are authorised to do so by KIDSHELP KAMBODSCHA.
- Act according to the principles laid out in this code of conduct on duty as well as during your private life, since any form of misconduct could potentially damage the reputation of KIDSHELP KAMBODSCHA as a whole and we believe in the universal validity of these principles.

When dealing with children, you furthermore agree to ensure that you will:

- Not take a child on a motorbike, tuk-tuk, car or any other form of transport without making prior arrangements with the local staff of KIDSHELP KAMBODSCHA.
- Not stay alone with a child at any time (for your protection as well the child's, we ask you to be within clear view of another adult at all times).
- Not take children to your private accommodation under any circumstance. This is a criminal offence and punishable by law.

- Not socialise with the children outside the KIDSHELP KAMBODSCHA premises apart from a friendly hello.
- Not take any child to a café, restaurant or buy them food, unless permission has expressly been given by KIDSHELP KAMBODSCHA Directors. If the children are obviously hungry, then the School Director and the Country Director are to be informed immediately.
- Seek permission from the Country Director as well as the First Chairperson if you plan on making any contact with the Children outside of the KIDSHELP KAMBODSCHA projects.
- Take extreme care when interacting physically with the Children. You must not fondle, hold, kiss, hug or touch minors in an inappropriate or culturally insensitive way. Mistaken belief regarding the age of a child is not a defence.
- Not share, produce, view or possess any content that classifies as child pornography.
- Not exert inappropriate physical force when dealing with the children. This includes pushing, shoving, hitting, slapping and any other form of physical abuse.
- Not involve children in work that can interfere with the child's education, or be harmful to its health or physical, mental, spiritual, moral or social development.
- Not exert any form of emotional abuse or mistreatment. This means I will not act in ways that can shame, humiliate, belittle, degrade, discriminate against or show differential treatment to any child.
- Implement the 'two-adult' rule, whereby two or more adults supervise all out-of-classroom activities with children. If for any reason an individual conversation or counselling session is warranted, another adult must be within visual contact.

If any member of staff develops a concern or suspicion regarding any of the above, most particularly sexual exploitation or child abuse by a fellow worker, whether in the same agency or not, they must report such concerns to the Country Director as well as the First Chairperson immediately. Anyone who raises a concern about potentially serious malpractice will be protected from victimisation or any other detrimental treatment, provided that concerns are raised in good faith. Deliberate false allegations are a serious disciplinary offence.

Declaration

I have read the complete KIDSHELP KAMBODSCHA Child Protection Policy and KIDSHELP KAMBODSCHA Code of Conduct. I fully understand and agree to follow all procedures contained within.

If at any time I fail to comply with the KIDSHELP KAMBODSCHA Child Protection Policy or the KIDSHELP KAMBODSCHA Child Protection Code of Conduct, I understand that my employment / association may be terminated by KIDSHELP KAMBODSCHA and appropriate action will be taken.

_____ / ____ / _____

Signature Date

Attachment A:

REPORTING FORM	
<p>The information in this form is confidential. It should be used to report concerns in accordance with the KIDSHELP KAMBODSCHA child protection policy. It should be sent to the Country director as well as the first chairperson. It will be held in a safe and secure place in accordance with Data Safeguarding requirements.</p> <p>Please try to fill in as much of the form as possible, but leave blank those areas for which you have no knowledge.</p>	
Part One: About the complainant (if different from the child)	
Complainant name	
Complainants relationship to the child	
Part Two: About the child	
Child / young persons name	
Is the child male or female?	
Child / young person's address	
Who does the child live with?	
Child / young persons date of birth / age	
Has the child given consent to the completion of this form?	Yes / No
Part 3: About the concern	
<p>How did you come to have a concern?</p> <ul style="list-style-type: none"> • Was abuse observed or suspected? • Was an allegation of abuse made? • Did a child disclose abuse? 	

Date(s), time(s) and location(s) of any incident(s):

Nature of concern / allegations

Observations made by you (e.g. description of visible bruising, other injuries, child / young persons emotional state etc).

NB: Make a clear distinction between what is fact and observed by you and what is hearsay

Exactly what the child / young person has said and what you have said:

N.B. Record the actual details of what the child says – do not lead them

Any other information:

For example: Is the child disabled? Do they have communication problems or learning disabilities?

Witnesses:

Names and contact information

Were any other children involved?

About the alleged perpetrator:

If appropriate record as much detail as possible about the alleged perpetrator, including name, job title, organisation, address, age, sex and physical description.

External agencies contacted (if any) – date and time of contact and advice received:

Action taken:

Include any immediate security measures

Part 4: Report completed by

Name

Position / Organisation

Signed

Time and Date

Guidance on recording information

- Any concerns or allegations should be written down as soon as possible. Write down the date and time of anything that you record.
- It is important that staff and others do not promise confidentiality either to a child disclosing abuse or to an adult disclosing concern about another adult or information about their own behaviour. Staff and others must make it clear that they are obliged to follow the procedure and explain the possible outcomes that may result from information being given to them.
- Records should be detailed and precise. They should focus on what you and the other person said, what was observed, who was present and what happened. Speculation and interpretation should be clearly distinguished from reporting.
- Any concern, disclosure or allegation is alleged rather than proven at this point.

All such reports should be treated as confidential. It is the responsibility of each individual in possession of the information to maintain confidentiality. In certain instances, there will be the obligation for staff and others to report concerns to the appropriate external bodies. This will usually occur as a consequence of the reporting procedure, however if urgent action is required in order to protect children then it may be prior to the reporting procedure.