Safeguarding children in emergencies

**Toolkit 3: Safeguarding references**

[The image features a drawing of two children playing with hula hoops and hopscotch.]
Contents

Introduction ............................................................................................................................................... 2

How to use Safeguarding References ........................................................................................................2

Definitions and concepts..................................................................................................................................4
  Definitions of abuse................................................................................................................................... 5
  Other forms of abuse ................................................................................................................................. 7

Legal framework and humanitarian principles ........................................................................................ 9
  Introduction ............................................................................................................................................... 9
  Key concepts............................................................................................................................................... 9
  Main legal instruments that apply to children in emergencies. ............................................................... 9
  Human Rights Law .....................................................................................................................................9
  International humanitarian law ................................................................................................................12
  Humanitarian principles ............................................................................................................................12

Additional reference documents ............................................................................................................. 16
  Tool 2.4 Example child safeguarding policy ............................................................................................ 16
  Tool 2.5 Example policy on use of visual images ..................................................................................... 22
  Tool 5.6 Example Child Protection Reporting Procedures ...................................................................... 25
    Global Reporting Procedures diagram .................................................................................................. 29
  Tool 6.3 Police background checks and exemption form ......................................................................... 30
  Tool 6.4 Example of how a request for a police check can be initiated ................................................ 31
    Template request form for an exemption from a police background check ........................................... 33
  Tool 6.5 Sample child protection character reference form adapted from the Consortium for Street Children .................................................................................................................. 34
  Tool 6.6 Sample child protection declaration form ............................................................................... 35
  Tool 6.8 Implementing awareness and prevention measures in recruitment and selection ................. 36
  Tool 6.9 Guidelines on screening and selection ...................................................................................... 37
  Tool 6.10 Sample code of conduct ........................................................................................................... 39
  Tool 6.11 Sample code of conduct .......................................................................................................... 40
  Tool 7.1 examples of responsibilities to include in Job Descriptions for specific posts ....................... 41
    Specific posts responsibilities ................................................................................................................ 42
    Sample project partnership agreement form ....................................................................................... 45

Acknowledgements .................................................................................................................................... 46
All children, whoever they are and wherever they are, have a right to be protected from harm and have their welfare promoted. While it has been known for some time that children are especially vulnerable to natural disasters and armed conflicts, lessons learned from the past have shown that too often organisations do not prioritise the safeguarding needs of children when emergencies strike. Yet children suffer the consequences in the absence of such measures. Abuse is likely to occur every time an emergency happens.

The Safeguarding in Emergencies: a Training Tool is designed to help organisations ensure that they are keeping children safe during emergencies by providing standards, requirements, guidance and exercises which can be readily understood and implemented.

**Structure**

- **Toolkit 1 Safeguarding Standards** – outlines the minimum standards for safeguarding children in emergencies and provides indicators for mainstreaming safeguarding initiatives in emergency programming
- **Toolkit 2 How to implement the standards** – provides practical guidance on how to ensure the appropriate implementation of these standards.
- **Toolkit 3 Safeguarding References** – a set of documents provided by organisations that offer practical examples of tools, policies and procedures which can be replicated or adapted by organisations wishing to strengthen their own measures.

**HOW TO USE SAFEGUARDING REFERENCES**

The Safeguarding References is a document designed to accompany toolkit 1 and 2. You can find in this document explanations of concepts and definitions used throughout the tool. Details of the legal frameworks and humanitarian principles that are useful to be aware of are also provided here. Examples of policies, procedures and tools which will help you in strengthening your own child safeguarding measures are also included.
It is crucial before we continue to ensure that we have a precise understanding of the terminology used in this training. Often the term “Child Protection” is used to define both Child Protection Programming interventions and Child Safeguarding measures. Additionally, we need to be specific about what “Abuse” means and implies.

**Child protection in emergencies**
Everything that individuals, organisations, countries and communities do to prevent and respond to abuse, neglect, exploitation of and violence against children in emergencies.

**Child Protection (programmatic) activities include efforts to address the following:**
- Separation of children from their families
- Tracing / Reunification / Reintegration
- Recruitment and use of children by armed forces and/or armed groups (CAAGF)
- Violence against children (incl. GBV)
- Mental health and psychosocial distress
- Where relevant, risks from landmines and unexploded ordinances
- Monitoring and reporting on grave violations against children and serious child protection concerns
- Exploitation and trafficking
- Child labour
- Children in conflict with the law
- Protection of children during armed conflict
- Protection against traditional harmful practices (incl. FGM, child marriage, etc)

**Child safeguarding measures**
Measures an organisation undertakes to ensure that the children it comes in contact with are not harmed by their staff or visitors and that the activities that they are implementing do not harm children. It relates to the policies and procedures designed by the organisation to keep children safe.

Some organisations will, however, call these measures “child protection measures” since their aim is to “protect” children – however for clarity we will in this training refer to “child safeguarding measures” so as to minimise the risk of confusion with “child protection” programming activities.

**Child safeguarding policy**
A written document that states an organisation’s commitment to keep safe the children it works with, or comes in contact with. A policy explains how an organisation approaches child safeguarding, their attitudes and basic principles.

**Child safeguarding procedures**
Clear advice and guidelines on what individuals and organisations should do if a concern about a child or someone’s behaviour is raised.

**Code of conduct / Code of behaviour**
A clear, concise guide for staff about what is, and what is not, acceptable behaviour or practice when working with a humanitarian organisation and particularly with children.

---

Standards
Standards provide a benchmark against which practice can be measured and audited, areas for development can be identified and thus provide a basis for accountability and challenge if practice falls below a certain level. Although implementing standards cannot offer complete safeguarding for children, it does minimise the risk to children of abuse and exploitation.

Abuse
Abuse exists in all countries and communities. It is expressed in personal values, beliefs and practices and also through wider societal, cultural and institutional systems. Child abuse denies children their right to a safe, secure, happy and healthy childhood. Statistics for children globally include:

- 1 million children worldwide live in detention.
- 180 million children are engaged in the worst forms of child labour.
- 1.2 million children are trafficked every year.
- 2 million children are exploited via prostitution and pornography.
- 2 million children are estimated to have died as a direct result of armed conflict since 1990.
- 300,000 child soldiers at any one time.

DEFINITIONS OF ABUSE
Trying to define child abuse is difficult because of the vast cultural, religious, social/political, legal and economic differences that children experience. What may seem to be abusive in one country may be acceptable in another. It seems impossible to agree on one, universal definition. But in order that child safeguarding approaches make sense it is crucial that a common understanding is reached by organisations as to what the definition of child abuse is and in what circumstances their policy and procedures apply.

“Child abuse and neglect, sometimes also referred to as child maltreatment, is defined in the World Report on Violence and Health as 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.”

Many children living throughout the world can therefore easily be described as being abused in a very general sense because they are denied basic human rights and live in circumstances that are extremely difficult. However, any definition of abuse needs to be carefully thought through as no child safeguarding policy can address all abuse of children and would be ineffective if it were used in this way.

Child abuse
A general term used to describe where the child may experience harm, usually as a result of failure on the part of a parent / carer or organisation / community to ensure a reasonable standard of care and safeguarding or by deliberate harmful acts. Research studies and inquiry reports have widened our awareness of the abuse of children by peers, siblings and those employed or entrusted with their care in both community and residential settings. Reports into allegations that aid workers were sexually exploiting women and children has highlighted concern about child safeguarding issues in developing countries and places duty of care to beneficiaries on humanitarian and other non-government organisations.

2 These notes have been prepared using a variety of sources and original material. Further resource information can be found on the www.nspcc.org.uk website and www.who.int Additional materials for professionals working with children can be downloaded from www.nspcc.org.uk/freshstart. Fresh Start facilitates a multi-disciplinary community of practice in relation to child sexual abuse and acts. Also see the Child Rights Information Network – http://www.crin.org/.
5 UN IASC Task Force, 2002.
Within the broad definition of child maltreatment, five subtypes are distinguished:

- physical abuse
- sexual abuse
- emotional abuse
- neglect and negligent treatment
- sexual and commercial exploitation.

These sub-categories of child maltreatment and their definitions were devised following an extensive review of different countries’ definitions of child maltreatment and a 1999 WHO consultation on child abuse prevention.

**Physical abuse of a child**
The actual or potential physical harm from an interaction or lack of interaction, which is reasonably within the control of a parent or person in a position of responsibility, power, or trust. There may be single or repeated incidents (WHO, 1999).

**Child sexual abuse**
The involvement of a child in sexual activity that he or she does not fully comprehend, is unable to give informed consent to, or for which the child is not developmentally prepared and cannot give consent, or that violate the laws or social taboos of society. Child 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. This may include but is not limited to the inducement or coercion of a child to engage in any unlawful sexual activity; the exploitative use of a child in prostitution or other unlawful sexual practices; the exploitative use of children in pornographic performances, internet pictures and materials (WHO, 1999). The recent use of technology such as the internet by adults to entice children to meet or participate in virtual sex is also an abuse.

**Neglect and negligent treatment**
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 safeguard children from harm as much as is feasible (WHO, 1999).

**Emotional abuse**
The failure to provide a developmentally appropriate, supportive environment, including the availability of a primary attachment figure, so that the child can reach their full potential in the context of the society in which the child lives. There may also be acts toward the child that cause or have a high probability of causing harm to the child’s health or physical, mental, spiritual, moral or social development. These acts must be reasonably within the control of the parent or person in a relationship of responsibility, trust or power. Acts include restriction of movement, degrading, humiliating, scapegoating, threatening, scaring, discriminating, ridiculing, or other non-physical forms of hostile or rejecting treatment (WHO, 1999).

**Sexual exploitation**
The abuse of a position of 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 being one example of this.
Commercial or other exploitation of a child
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 into the army would also come under this category.

Disabled children and abuse
Disability in children can make them more vulnerable to child abuse. What might be considered harmful or abusive treatment of a non-disabled child is sometimes seen in certain context as normal for a disabled child to experience. In discussing safeguarding of disabled children it is essential to consider not only personal attitudes and values but also the social context that children are living in, what are the community attitudes towards disability? Awareness of how society treats disabled children is critical for two reasons:
• so individuals do not reinforce abusive attitudes or behaviour in their own practice
• so that staff can promote the rights of disabled children to be safeguarded.

There are many things people might believe about disabled children that will affect whether they think they are at risk of abuse. The truth is that disabled children are MORE at risk of abuse and this is known through international research and experience. Humanitarian aid workers have probably encountered many examples of disabled children being wrongly treated and abused.

Indicators of abuse give us important clues to what might be happening to a child or young person; they should not usually be seen in isolation from the rest of the child’s life and experience. For disabled children indicators of abuse may be masked or confused by their disability. People might say:
• injuries are self inflicted
• behaviour is symptomatic of the disability
• a disabled child’s allegation is false because they do not know what they are talking about
• they have to treat the child in that way for their own good e.g. tying or chaining up, not feeding, locking up, not dressing etc.

It is therefore important to recognise that disabled children can be abused and harmed, and the effects of abuse may be more dangerous e.g. not feeding a child who cannot feed themselves will ultimately lead to their death. The safeguarding of disabled children may need extra thought and attention especially when a community or society does not recognise the human rights of disabled children.

OTHER FORMS OF ABUSE

Internet abuse and abusive images of children
Abusive images of children, commonly referred to as child pornography, is defined as 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 sexual purposes. Technology has also meant that children are now subject to additional abuse through the internet. There is a trade in the transmission of abusive images of children. Digital and phone cameras have made it possible for some children images to be distributed across the internet without their knowledge. Children may also be at risk of coming in to contact with people who want to harm them through their use of the internet. Additional information on internet safety advice for parents, carers and children and young people on www.ceop.gov.uk and www.thinkuknow.co.uk

Abuse linked to belief in ‘possession’, ‘witchcraft’ or related to spiritual or religious belief
Abuse linked to the belief in ‘spirit possession’, ‘witchcraft’ or other spiritual beliefs can occur when communities or individuals believe that a child or an adult is in possession of evil spirits and action needs to be taken to ‘punish’ the alleged possessed person, or free him or her of the spirit. Child abuse linked to
accusations of ‘possession’ or ‘witchcraft’ generally occurs when the child is being viewed as ‘different’ (the child could be disobedient, ill or disabled) and the accuser (often small groups of people somehow related to the child) think they need to exorcise him or her. These beliefs can result in extremely cruel practices to children, e.g. severe beating, burning, starvation, isolation, cutting or stabbing and can even cause death to the child. Ritualistic ceremonies or other practices to hurt children can also be part of this harmful practice. The belief in ‘possession’ and ‘witchcraft’ is widespread. It is not confined to particular countries, cultures or religions. (www.everychildmatters.gov.uk)

**Spiritual abuse**

Occurs when a spiritual leader or someone in a position of spiritual power or authority (whether organisation, institution, church or family) misuses their power or authority, and the trust placed in them, with the intention of controlling, coercing, manipulating or dominating a child. Spiritual abuse is always about the misuse of power within a framework of spiritual belief or practice, in order to meet the needs of the abuser (or enhance his or her position) at the expense of the needs of the child. Spiritual abuse results in spiritual harm to a child and can be linked to other abuse such as physical, sexual and emotional abuse. [Note: This definition applies to a Christian setting and should be adapted to the specific issues relevant to other faith settings.]

**Abuse of trust**

A relationship of trust can be described as one in which one party is in a position of power or influence over the other by virtue of their work or the nature of their activity. An abuse of trust could be committed by, for example, a teacher, humanitarian or development worker, sports coach, scout leader, faith leader. It is important those in a position of trust have a clear understanding of the responsibilities this carries and clear guidance to ensure they do not abuse their position or put themselves in a position where allegations of abuse, whether justified or unfounded, could be made. The relationship may be distorted by fear or favour. It is vital for all those in such positions of trust to understand the power this gives them over those they care for and the responsibility they must exercise as a consequence. This is particularly important in the context of humanitarian aid, when those in positions of power also control aid and resources.

**Cultural values**

Whilst there are some common factors such as poor economic status, violence within the home, drug and alcohol abuse which increase the likelihood of children being abused, some of the most powerful are specific to the culture and society in which a child lives. It is vital to determine what are the culturally accepted child rearing practices and attitudes to faith, gender, disability, sexual orientation in different countries and regions. This is not to lower the level of concern, or condone abuse but more to understand the environment in which it occurs and the community attitude to it.
INTRODUCTION
A fundamental element in the safeguarding of children is the recognition that states have the primary re-
sponsibility of protecting the human rights of all persons within their territories. Children share protected
universal human rights with all other persons but, in addition, because of their dependence, vulnerability
and developmental needs, they also have certain additional rights.

Familiarity with international law is important because it outlines the obligations of a country to protect
children. It also provides the framework within which those who work with children should operate.

Where there is a lack of consistency between applicable legal instruments, the one giving the best
protection to the child is to be applied.

It is widely accepted that we must act solely in the best interests of the child.

KEY CONCEPTS
1. The legal bases for prioritised action on behalf of children are well established in international law.
2. The UN Convention on the Rights of the Child (UNCRC) provides a comprehensive code of rights
which offers the highest standards of protection and assistance for children.
3. The civil rights and freedoms established under the UNCRC apply equally to all children, who should
be provided with opportunities to express their views in any matter affecting them and encouraged
to participate in the activities of the community.
4. The UNCRC and other instruments provide the right to specific protection for children in situations
of armed conflict.
5. Refugee and displaced children are particularly at risk from many different types of abuse
and exploitation, including child labour and sexual exploitation. Their rights to protection are
established through the UNCRC and other international instruments.
6. The maintenance of family unity and the reunification of families has been established as a priority
in international law.
7. Education is recognised as a universal human right which is established through a wide range of
international and regional instruments.
8. The UNCRC establishes the right to the highest attainable standard of health for children.

MAIN LEGAL INSTRUMENTS THAT APPLY TO CHILDREN IN EMERGENCIES.
The text below provides reference to the key sections of international legal instruments that are applicable
in an emergency. This is intended as an at-a-glance resource – the full text of the instrument should be
referred to for full information

HUMAN RIGHTS LAW
Convention of the rights of the child
All but two countries (Somalia and the USA are the exceptions) are parties to the UN Convention on the
Rights of the Child (UNCRC). As such it can be treated as almost universally applicable. It is legally binding
on every government which is a party to it and applies to all children within the jurisdiction of each state,
not only to those who are nationals of that state. Indeed, the principle of non-discrimination is stated
strongly in the CRC and certainly covers refugee and displaced children including adolescents.
The CRC guiding principles as an overall framework:

Article 1, Definition of the child: A ‘child’ is a person below the age of 18, unless the laws of a particular country set the legal age for adulthood younger. The Committee on the Rights of the Child, the monitoring body for the Convention, has encouraged States to review the age of majority if it is set below 18 and to increase the level of protection for all children under 18. For normal purposes this means that it can be applied to everyone up to 18, unless it is demonstrated that they are an adult under the applicable national law for all purposes or for this specific purpose. In any case, the “scheme” of the UNCRC suggests that this exception should be interpreted as an empowering one, in other words that under-18s can claim the benefits of adulthood if granted by national law while still being able to claim the protection of the UNCRC.

Article 2, Non Discrimination: All rights apply to all children without exception. It is the State’s obligation to protect children from any form of discrimination and to take positive action to promote their rights.

Article 3, Best Interests of the Child: All actions concerning the child shall result from taking full account of his or her best interests. The State shall provide the child with adequate care when parents, or others charged with that responsibility, fail to do so.

Article 6, Right to Life, Survival and Development: Every child has the inherent right to life and the State has an obligation to ensure the child’s survival and development.

Article 12, Respect for the views of the child: All children have the right to participation in decision making processes that may be relevant in their lives and to influence decisions taken in their regard – within the family, school or community.

A comprehensive understanding of and compliance with the UN Convention on the Rights of the Child must be central to all child protection activities. Summaries of the following articles are included here, as they are likely to be central to much of child protection work in emergencies:

Articles 9 (family separation), 10 (family reunification across borders), 11 (illicit transfer of children), 16 (right to privacy, honour and reputation), 19 (protection from violence, injury, abuse, neglect, maltreatment or exploitation), 20 (alternative care), 21 (adoption), 22 (refugee children), 23 (disabled children), 24 (harmful practices), 25 (periodic review of alternative care), 32 (economic exploitation), 34 (sexual abuse and exploitation), 35 (abduction, sale or trafficking of children), 36 (other forms of exploitation), 37 (juvenile justice and protection from torture or other cruel, inhuman or degrading treatment or punishment), 38 (protection in armed conflict), 39 (recovery and reintegration), 40 (children in conflict with the law)

---

Articles that are not protection rights but represent important approaches to securing children’s protection rights include:

**Articles** 5 (support for the parent, extended family and community),
7 (birth registration and protection of identity),
18 (parental responsibility),
26 (social security),
27 (adequate standard of living and social protection),
28 & 29 (education),
31 (play and leisure)

**Optional protocol on the involvement of children in armed conflict**

Article 1: States Parties shall take all feasible measures to ensure that members of their armed forces who have not attained the age of 18 years do not take a direct part in hostilities.

Article 2: States Parties shall ensure that persons who have not attained the age of 18 years are not compulsorily recruited into their armed forces.

Article 3.3: States Parties that permit voluntary recruitment into their national armed forces under the age of 18 shall maintain safeguards to ensure, as a minimum, that

- Such recruitment is genuinely voluntary;
- Such recruitment is done with the informed consent of the person’s parents or legal guardians;
- Such persons are fully informed of the duties involved in such military service;
- Such persons provide reliable proof of age prior to acceptance into national military service.

Article 4.1: Armed groups that are distinct from the armed forces of a State should not, under any circumstances, recruit or use in hostilities persons under the age of 18 years

**Optional protocol on the sale of children, child prostitution and child pornography**

Article 1: State Parties shall prohibit the sale of children, child prostitution and child pornography as provided for by the present Protocol.

Article 3: Each State Party shall ensure that, as a minimum, the following acts and activities are fully covered under its criminal or penal law, whether such offences are committed domestically or trans-nationally or on an individual or organised basis:

- Offering, delivering or accepting, by whatever means, a child for the purpose of:
  - Sexual exploitation of the child;
  - Transfer of organs of the child for profit;
  - Engagement of the child in forced labour;
- Improperly inducing consent, as an intermediary, for the adoption of a child in violation of applicable international legal instruments on adoption;
- Offering, obtaining, procuring or providing a child for child prostitution, as defined in article 2;
- Producing, distributing, disseminating, importing, exporting, offering, selling or possessing for the above purposes child pornography.
INTERNATIONAL HUMANITARIAN LAW

International humanitarian law
International humanitarian law limits the methods of conducting military operations. The fundamental rules of international humanitarian law are as follows:

• Those who do not take a direct part in hostilities, who are put out of action or who are disabled are entitled to respect for their lives and their physical and moral integrity.

• It is forbidden to kill or to injure an enemy who surrenders or who is not participating in hostilities.

• The wounded and the sick shall be collected and cared for by the party to the conflict that has them in its power. Protection also covers medical personnel, establishments, transports and supplies. The emblem of the Red Cross is the sign of such protection and must be respected.

• Captured combatants and civilians are entitled to respect for their lives, dignity, personal rights and convictions. They shall be protected against all acts of violence. They shall have the right to correspond with their families and to receive relief.

• Everyone shall be entitled to fundamental justice. No one shall be held responsible for an act he or she has not committed or be subjected to physical or mental torture, corporal punishment, or cruel or degrading treatment.

• Parties to a conflict should not have an unlimited choice of methods and means of warfare that cause unnecessary losses or excessive suffering.

• Parties to a conflict shall spare civilian populations and property. Attacks shall be directed solely against military objectives.

HUMANITARIAN PRINCIPLES

Humanitarian principles are based on the work of the Red Cross, and they have their underpinnings in international humanitarian law and human rights law. The principles are a type of framework for how we act, a “code of conduct” for everyone present in an emergency, including in conflict the warring parties. Governments have the primary responsibility to uphold them, as well as non-state entities, and humanitarian organisations.

Four core principles – accepted by all UN agencies, the International Red Cross movement, and NGOs:

• Humanity: The centrality of saving lives and alleviating suffering wherever it is found.

• Neutrality: Humanitarian agencies must not affiliate themselves to any side of the ongoing conflict.

• Impartiality: Humanitarian aid should be implemented solely on the basis of need, without discrimination between or within affected populations.

• Independence: Humanitarian agencies must formulate and implement their own policies independently of government policies or actions.

Additional internationally recognised humanitarian principles.

• Do no harm: humanitarian organisations must strive to “do no harm” when providing assistance. Humanitarian actors need to be aware of this and take steps to minimise the harm. To minimise possible longer term harm, humanitarian organisations should provide assistance in ways that are supportive of recovery and long-term development.

• Accountability: Humanitarian programmes should be accountable to those whom they serve as
well as to those who fund their activities. Those providing assistance have a duty to ensure that aid reaches its intended beneficiaries in the most effective and efficient way possible.

- **Customs and culture**: Understanding local traditions and values is important in carrying out humanitarian work, especially in connecting these to internationally recognised human rights.

- **Participation**: Humanitarian workers have a responsibility to provide assistance in a way that realises the right of affected populations to take part in decisions that affect their lives.

- **Respect for international humanitarian law and human rights**: All involved in a conflict must respect international humanitarian law and fundamental human rights, particularly the rights of children as enshrined in the Convention on the Rights of the Child.

- **The humanitarian imperative**: Human suffering must be addressed wherever it is found, with particular attention to the most vulnerable in the population, such as children, women, the displaced and the elderly. The dignity and rights of all those in need of humanitarian assistance must be respected and protected. The humanitarian imperative implies a right to receive humanitarian assistance and a right to offer it. At times, humanitarian access to civilian populations is denied by authorities for political or security reasons. Humanitarian agencies must maintain their ability to obtain and sustain access to all vulnerable populations and to negotiate such access with all parties to the conflict.

- **Independence**: humanitarian objectives are autonomous from political, economic, military objectives or other interests related to the location where assistance is provided.

**Refugee law**

The fundamental principle of refugee protection is that of non-refoulement, which prohibits the return of a refugee to a territory where he or she fears persecution. This right is contained in article 33 of the 1951 Convention relating to the Status of Refugees:

- “No Contracting State shall expel or return (‘refouler’) a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion.”

**Protection of the internally displaced**

Unlike refugees, those who have fled their homes but have not crossed an international border are not protected by a special agency or by a special body of law. Although international human rights law applies to them in that situation, their situation is often much more vulnerable, particularly when they are living in areas controlled by rebel movements or where by virtue of their race, religion or political affiliation they are considered the ‘enemy’. Protection of internally displaced persons should be guaranteed by national legislation concerning the rights and well being of all citizens, international human rights obligations of governments and, in cases of armed conflict, by international humanitarian law.

**Other relevant international instruments**

The following are international instruments that may be relevant in particular circumstances and should be referred to as applicable.

- The 1966 Covenant on Civil and Political Rights
- The 1966 Covenant on Economic, Social and Cultural Rights
- CERD (Convention on the Elimination of All Forms of Racial Discrimination), 1965
- CEDAW (Convention on the Elimination of Discrimination Against Women), 1979
- CAT (Convention Against Torture), 1984
- The Convention on the Prevention and Punishment of Genocide, 1948
- The 1951 Convention relating to the Status of Refugees and the 1967 Protocol
Children benefit from an increased degree of protection which is reflected in various international instruments. **NOTE:** if a child is suspected of being the perpetrator of abuse, this child benefits from the same protection levels and from the specific provisions that have been developed to treat the cases of minors in conflict with the law.
Additional reference documents
The following are useful documents primarily from Keeping Children Safe members which can provide guidance as you develop your own child safeguarding policies and procedures.

** TOOL 2.4 EXAMPLE CHILD SAFEGUARDING POLICY **

*from Save the Children UK*

---

<table>
<thead>
<tr>
<th>Policy Date: 20 July 2009</th>
<th>Policy Owner: Director of Global Child Safeguarding</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Policy:</strong> Child Safeguarding Policy</td>
<td></td>
</tr>
<tr>
<td><strong>Core Policy Area:</strong> Child Safeguarding</td>
<td></td>
</tr>
<tr>
<td><strong>Related Policies:</strong></td>
<td></td>
</tr>
<tr>
<td>Child Safeguarding – Local Procedures; Child Safeguarding – Reporting Suspected Abuse; Child Safeguarding – Safe child participation; Contracts with implementing Partners Policy</td>
<td></td>
</tr>
</tbody>
</table>

---

Under Save the Children UK Global Policies a child is defined as: Anyone under 18 years of age

1. The following people must comply with the Child Safeguarding Policy:
   - all staff, full time, part time, international and national, and to those engaged on short-term contracts, e.g. consultants, researchers etc (referred to as “staff”)
   - volunteers, board members, trustees (referred to as “representatives”)
   - staff and representatives of partner agencies and any other individuals, groups or organisations who have a formal / contractual relationship to Save the Children that involves them having contact with children - unless it has been agreed under the global guidance and local procedures that the partner organisation may enforce its own safeguarding or protection policy (referred to as “staff of partner agencies”).

2. Donors, journalists, celebrities, politicians and other people who visit Save the Children programmes or offices and may come into contact with children must be given a copy of this policy and be made aware that they must act in accordance with it whilst visiting programmes or offices.

3. All Save the Children staff and representatives must act in accordance with this policy in both their professional and their personal lives.

4. All Save the Children staff and representatives must sign the Declaration of Acceptance, prior to or at the time of issuing of any employment contract, to show that they are aware of this policy, the Child Safeguarding Joint Statement and their Summary Local Procedures and will act in accordance with these documents.

5. All staff and representatives must:
   - report concerns that a child is a victim of child abuse or sexual exploitation immediately in accordance with their Local Procedures
   - undertake induction and training on this policy which is relevant and appropriate to their position so that they can undertake their responsibilities effectively and with confidence
   - cooperate fully and confidentially in any investigation of concerns and allegations
   - respond to a child who may have been abused/exploited in accordance with the Local Procedures
and in accordance with their best interest and safety

- identify, minimise and attempt to avoid potential situations of risk for children
- identify and avoid potential situations which may lead to staff behaviour being misinterpreted
- ensure, when making images of children e.g. photographs, videos, that they are respectful, that the children are adequately clothed and that sexually suggestive poses are avoided
- ensure that any image or recorded case history of a child does not place him / her at risk or render him / her vulnerable to any form of abuse
- ensure that the Child Safeguarding – Safe Child Participation policy is complied with if any child is to participate in any activity other than as a beneficiary, e.g. a campaigning event, awards ceremony, panel or any other event or in internet social networking;

6. Save the Children staff and representatives must never:

- hit or otherwise physically assault or physically abuse children
- have sexual intercourse, or engage in any sexual activity, with anyone under 18 years of age, regardless of the age of consent locally. Mistaken belief in the age of the child is not a defence
- develop relationships with children which could in any way be deemed exploitative or abusive
- act in ways that may be abusive or may place a child at risk of abuse
- use language, make suggestions or offer advice which is inappropriate, offensive or abusive
- behave physically in a way that is inappropriate or sexually provocative
- have a child/children with whom they are working to stay overnight at their home (unless necessary and previously agreed with managers that this is for the safety of the child)
- sleep in the same bed as a child with whom they are working
- sleep in the same room as a child with whom they are working (unless necessary and previously agreed with managers that this is for the safety of the child)
- do things for children of an intimate, personal nature that they can do for themselves ¹
- condone, or participate in, behaviour of children which is illegal, unsafe or abusive
- act in ways intended to shame, humiliate, belittle or degrade children, or otherwise perpetrate any form of emotional abuse
- discriminate against, show unfair differential treatment to, or favour particular children to the exclusion of others
- act as negotiator in or assist the process of financial settlement between the family of a child victim of sexual abuse or exploitation and the perpetrator or
- spend excessive time alone with children away from others (including in vehicles) or spend time in a child’s home unless exceptional circumstances apply and they have the prior approval of their line manager.

7. All staff and representatives must be aware that any allegation of the abuse or exploitation of children made against them will be investigated, under these Child Safeguarding policies:

- by consideration of referral to statutory authorities for criminal investigation and prosecution under the law of the country in which they work (this also applies to any representative or staff of any partner agency with whom Save the Children has agreed child protection protocols); and/or
- by Save the Children in accordance with the Global Procedures for dealing with Suspected Abuse and Exploitation and under disciplinary procedures, which may result in dismissal.

¹ Things of an intimate, personal nature: This includes activities of an intimate nature such as toileting, bathing and dressing a child. These activities should only be undertaken if the child is unable to do them him/herself.
8. All agreements between a) Save the Children and b) implementing partners other individuals, groups or organisations who have a formal / contractual relationship to Save the Children that involves them having contact with children must include agreement on the issue of this Child Safeguarding Policy (see Contracts with Implementing Partners Policy for more details). Partner agencies must adopt this policy or have developed their own policy of a similar standard. Partnership agreements must clearly outline agreed procedures for reporting and investigating concerns involving breaches of the policy involving issues of child abuse and exploitation. ^2

Guidance
Safeguarding children is a global organisation-wide responsibility. Within this broad approach there are specific responsibilities within departments and positions. This is reflected in the structure of these policies. This Child Safeguarding policy should be seen as the universal set of responsibilities, the implementation of which is enabled through the other three policies (Child Safeguarding – Local Procedures; Child Safeguarding – Reporting Suspected Abuse; Child Safeguarding – Safe Child Participation) and related guidance and supporting tools.

All staff and representatives should recognise that:
• a child is any person under the age of 18 years
• all children are equal irrespective of their gender, disability, ethnicity, sexuality, marital status or religion
• all children have the right to freedom from abuse and exploitation
• all child abuse involves the abuse of children's rights
• Save the Children’s commitment to children’s rights means that we have a commitment to safeguard children, especially those we are in contact with
• Save the Children is committed to ensuring that children are aware of their right to be protected from abuse and exploitation and we will communicate that right to them; and
• Save the Children is committed to ensuring that all our own staff and representatives wherever they are located, apply the highest standards of behaviour towards children both within their professional and their private lives.

All staff and representatives should aim to:
• plan and organise the work and the workplace so as to minimise risk of abuse, exploitation or harm coming to a child
• promote a culture of openness in relation to child safeguarding issues, where any issues or concerns can be raised and discussed
• ensure that a sense of accountability exists between staff so that poor practice or potentially abusive behaviour can be challenged
• talk to children about their contact with staff or others and encourage them to raise any concerns
• empower child beneficiaries and communicate to them their rights, what is acceptable and unacceptable, and what they can do if there is a problem
• communicate to child beneficiaries what standards of professional practice they can expect of Save the Children staff and what to do if they feel that Save the Children staff are falling short of these standards and
• proactively seek opposition to safeguard children, see the Awareness and Prevention Measures.

This Child Safeguarding Policy is in addition (and complementary) to the general Code of Conduct. It

---

^2 Guidance on good practice in this area is available and the Keeping Children Safe materials are specifically designed to assist partner agencies develop robust child safeguarding systems.
specifies the professional behaviour and good practice expected by Save the Children from all staff and representatives in relation to children. The Code of Conduct also identifies behaviour which is unacceptable in relation to children.

The Global Procedures for Dealing with Suspected Abuse and Exploitation identify principles and procedures to guide staff when responding to cases of suspected abuse.

The Local Procedures are drawn up in country and provide practical procedures for when and how to report concerns. These local procedures will identify when and how to report issues that occur outside of our agency. They also identify the mandatory process for reporting all concerns which involve representatives of Save the Children.

Adhering to these Policies, Procedures and Guidance will safeguard children from abuse, ensure concerns are responded to professionally and may safeguard staff and representatives from allegations of misconduct or abuse.

By following this policy, staff and representatives will be both playing their part in safeguarding children, and developing best practice in working with children. As with the general Code of Conduct, if a staff member breaks this policy or fails to meet the standard of behaviour that it requires, disciplinary action may be taken. This may include dismissal and/or referral to national authorities for criminal investigation and prosecution, should you break the law of the country in which you are based and/or in which an offence is committed.

Country Directors must include provision for the induction, training, monitoring and investigation elements of the Child Safeguarding Policy in their annual budget and plan. Funding proposals should include a budget line identifying support for a technical advisor post.

<table>
<thead>
<tr>
<th>London Office</th>
<th>Director of Global Child Safeguarding (Director of GCS); UK Human Resources and Facilities Management (UK HR &amp; FM); Director of International Operations (DIO); All staff</th>
</tr>
</thead>
</table>
| Action        | Director of GCS to review and update this policy as necessary. UK HR & FM Director to ensure that London Office staff and representatives prior to or at the time of issuing any employment contract receive and understand:  
• this policy;  
• the Child Safeguarding Joint Statement;  
• a copy of their Summary Local Procedures;  
• sign the attached Declaration of Acceptance.  
Director of GCS to ensure that all current and new trustees are provided with this Child Safeguarding Policy and the Child Safeguarding joint statement, and are asked to sign the accompanying declaration.  
DIO to ensure that Regional Directors and Emergency directors have ensured that all Country Directors have signed the Declaration of Acceptance. |
<table>
<thead>
<tr>
<th>Accountability/Reporting</th>
<th>Regional Director responsible to DIO for ensuring that all Regional Office staff and representatives sign the Declaration of Acceptance, prior to or at the time of issuing of any employment contract.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regional Office</td>
<td>Regional Director</td>
</tr>
<tr>
<td>Action</td>
<td>As per Country Office, by regional office staff</td>
</tr>
<tr>
<td></td>
<td>In addition: Regional Directors (RDs) to ensure that all Country Directors have ensured all their staff and representatives prior to or at the time of issuing any employment contract receive and understand: this policy; the Child Safeguarding Joint Statement; a copy of their Summary Local Procedures; And sign the attached Declaration of Acceptance. Make arrangements to monitor compliance with the policy across the Region.</td>
</tr>
<tr>
<td>Accountability/Reporting</td>
<td>Director of GCS is responsible to the Director of Global HR for contents of this policy Director of GCS reports to Trustees and Directors on a 6 monthly basis. UK HR &amp; FM Director responsible to Director of GCS for ensuring that all London Office staff sign the Declaration of Acceptance, prior to or at the time of issuing of any employment contract.</td>
</tr>
<tr>
<td>Country Office</td>
<td>Country Director</td>
</tr>
<tr>
<td>----------------</td>
<td>------------------</td>
</tr>
</tbody>
</table>
| Action         | Country Director to ensure that Local Procedures are established and operational in line with Child Safeguarding – Local Procedures Policy.  
Country Director to ensure that reporting procedures (including to Head Office) are implemented in line with Child Safeguarding – Reporting Suspected Abuse policy and the Global Procedures for Dealing with Suspected Abuse and Exploitation.  
Country Director to ensure that prior or at the time of issuing any employment contract all Country Office staff and representatives receive and understand:  
• this policy;  
• the Child Safeguarding Joint Statement;  
• a copy of their Summary Local Procedures;  
• sign the attached Declaration of Acceptance.  
Country Directors to ensure that all visitors are given a copy of this policy and it is explained that they must comply with it whilst visiting Save the Children beneficiaries.  
Country Director to ensure and that all implementing partners, or other organisations who have a formal / contractual relationship to Save the Children that involves their staff having contact with children, have included in their contracts a requirement that staff:  
• comply with this policy or that they comply with the organisation’s own policy of a similar standard including procedures for reporting and investigating concerns; and  
• comply with the Code of Conduct.  
Country Director to ensure that any breach of this policy is investigated in accordance with Local Procedures and the Child Safeguarding – Reporting Suspected Abuse Policy and is stated to be a disciplinary offence which can result in dismissal in all staff contracts.  
Country Directors to include budget provision for technical assistance post to cover induction, training, monitoring and investigation elements of the Child Safeguarding Policy. |
| Accountability / Reporting | Country Director responsible to Regional Director for ensuring that all Country Office staff sign the Declaration of Acceptance, prior to or at the time of issuing of any employment contract. |
**TOOL 2.5 EXAMPLE POLICY ON USE OF VISUAL IMAGES**

*Adapted from EveryChild*

**General**

In our use of visual images, both photographic stills and video, our overriding principle is to maintain respect and dignity in our portrayal of children, families and communities.

**Background**

EveryChild, a leading development organisation working alongside local branches and partner organisations to improve the lives of children around the world, welcomes all efforts to protect children from exploitation of any kind, whether sexual, commercial, physical or emotional. (See EveryChild’s Child Protection Policy).

EveryChild strongly supports the United Nations Convention on the Rights of the Child, which makes the best interests of the child a primary consideration (Art. 3), states that every child has the right to privacy (Art. 16) and protection from all forms of exploitation (Art. 36). Whilst we acknowledge that images are an essential element in portraying our work to the general public and other constituencies and for raising funds, we strive to maintain the dignity of everyone with whom we work and will not use images that are disrespectful or demeaning.

**Aim**

This document sets out the principles EveryChild employs to regulate our use of images of children and their families. The guidelines that follow will be of particular use to staff in the field in contact with children and families.

**Policy**

In our use of visual images we adhere to the following principles:

1. **We respect the dignity of the subject.**
   - We will always seek to ask permission when taking photographs or video footage of individuals.
   - Consent for taking and using photographs and case studies will be sought from parents and those with parental responsibility or from the children directly when they are of sufficient age and understanding.
   - Special consideration will be given to photographs depicting children with disabilities, refugees and those in situations of conflict and disasters to accurately portray context and maintain dignity.
   - Wherever possible, we explain to the subject the likely use of the images.
   - We never take pictures of people who say they don’t want to be photographed.

2. **We do not exploit the subject.**
   - We do not manipulate the subject in a way which distorts the reality of the situation (e.g. we do not ask them to cry for the camera).
   - If necessary to protect confidentiality, the names of children and families will be changed. Never would a child’s full name and contact details be published.

3. **We aim to provide a balanced portrayal of reality in the developing world.**
   - We avoid stereotypes (e.g. Western aid worker tends helpless victim, etc.)
   - We show people helping, and working for, themselves, not as victims.

4. **We use images truthfully.**
   - Case histories / descriptions are not fabricated, although they may be adapted or edited to preserve the dignity and confidentiality of the subject.
• We do not use an image of one thing and describe it as, or imply it is, an image of another (e.g. we do not use an image of one project to illustrate the work of another).

• Where possible, we use a balance of images (e.g. positive and negative) to reflect the reality of a situation.

• If we use an image in a general way (e.g. illustrating a project similar to the one being described) we make this clear in the caption.

• We do not use an image in a way which deliberately misinterprets the true situation.

• If an image represents an exceptional situation, we do not use it in a way which suggests it is generally true.

• We aim to be confident that, to the best of our knowledge, the subject would regard the image and its use as truthful if s/he saw it.

5. We maintain standards of taste and decency consistent with our values and those of our supporters.

• We do not use images which are erotic, pornographic or obscene.

• We do not use images of dead or naked bodies, only in exceptional circumstances.

• We do not make gratuitous use of images of extreme suffering.

6. We respect the view of our overseas staff and partner organisations.

• We are sensitive to the concerns and advice of our overseas staff and partner organisations in our gathering and use of visual material.

7. In disaster situations, we will treat the people whom we are helping positively.

• In any publicity material dealing with disasters, we will follow the policy in the Code of Conduct of the International Committee of the Red Cross information: “In our information, publicity and advertising activities, we shall recognise disaster victims as dignified humans, not hopeless objects.”

• In doing this, we shall portray an objective image of disasters, in which the capacities and aspirations of those affected are highlighted, not just their vulnerabilities and fears.

• We will not lose respect for those affected, but treat them as equal partners in action.

• We will co-operate with the media in order to enhance public response, but we will not allow external or internal demands for publicity to take precedence.

8. We maintain high technical standards.

• We aim to use only high-quality images.

• We may use digital manipulation of images for creative or iconic effect, but not in a way which deliberately and misleadingly distorts the reality of the situation depicted.

• We do not crop an image in a way which misleadingly distorts the reality of the situation.

• In video editing, we do not misleadingly distort the reality of the situation.

9. We will maintain a suitable photo library.

• Images will be current and appropriate.

• All images will be kept centrally and fully documented.

• Old images will be archived.
Practice guidance

• During the process of seeking consent the purpose of photographs and case studies should be explained and, if possible, samples of publications in which the photograph or case study may appear shown to parents and children, preferably by a local staff member known to the family.

• The process of explanation and seeking of consent described should apply to photographs and also case studies used for child sponsorship and the website.

• Photographers sent to the field should be carefully briefed regarding the taking of suitable photographs and allowing subjects to withhold consent if they do not wish to be involved.

• Photographers should be accompanied by a local staff member whenever possible.

• Photographers sent to the field will be asked to undergo a background check through the disclosure service of the Criminal Records Bureau or a national equivalent, if practically possible.

• Records should be kept of when photographs have been used in publications to avoid using the same image to depict differing situations.

Consent

I hereby agree to the above conditions and guidelines set out by EveryChild.

Signed:                          Date:
It is extremely important that child protection (CP) issues are reported immediately in order to protect the child victim from further abuse, secure evidence and so that action can be taken in relation to the alleged perpetrator as appropriate.

The exception to this is where the child victim has urgent medical and/or safety needs which have to be attended to before a formal report is made.

1.1. Reporting to a manager and considering immediate referral to national authorities

a. When a report is first received (e.g. from child, parent, staff etc) or if a staff member or associate wishes to report a concern in writing, details should be recorded immediately or as soon as possible (within 24 hours) on Plan’s ‘Incident/Loss Notification Form’. The form should be signed and dated and on completion should be passed on immediately to the line manager or designated CP focal point as described in your local procedures.

This form should be made available to all Plan Staff. Child Protection inductions, workshops and training sessions should ensure staff know how to use this form. Please refer to section 17 ‘Documentation and Record Keeping’ for further notes on documenting the concern.

b. Where no allegation or disclosure of abuse has been received but rather suspicions or concerns have developed regarding possible child abuse or that a child/ren may be at risk in some way, this must be discussed with the line manager or designated CP focal point (see ‘e’ below) as described in your local procedures as a matter of urgency. This discussion and the decisions reached must be recorded in writing using Plan’s ‘Incident/Loss Notification Form’.

c. The case should then be reported as detailed in your local procedures - the first point of contact should normally be the line manager (or designated CP focal point as described in your local procedures).

- If the staff member genuinely believes that this reporting route is compromised, or that s/he would be victimised or s/he has no confidence in the local management structure, or at any stage feels dissatisfied with the manner in which the CP issue is being dealt with, then the report should be raised directly with another manager or CP focal point at the regional or International Headquarters (IH) level.

- If it is not possible for any reason to make contact with the people listed in your local procedures, then the report must be made to another senior manager or the Global Child Protection Advisor at IH.

- The line manager and/or designated CP focal point will be responsible for making further reports up the management chain in line with the local procedures.

d. Discuss actions with your line manager or designated CP focal point as described in your local procedures: You should discuss

- whether the child has/had any immediate safety and welfare needs which need to be/have been addressed

- you should discuss whether or not the actions or allegations you are dealing with indicate a possible criminal offence, in which case referral to the local investigative authorities should normally be made.

e. Neither the staff to whom the report was made nor the line manager should approach or inform the alleged perpetrator of the report made and any internal or external response taken unless specifically requested to do so by the Country Director (who should have sought appropriate advice on this action from the Regional Director and Global Child Protection Advisor at IH). Doing so may undermine any subsequent police or internal formal investigation.

f. The manager will also need to carry out an initial risk assessment of the case reported so as to ensure
that the risks to all parties (including the alleged victim, witnesses, the organisation and alleged perpetrator) are identified and appropriately managed. Guidance on this is detailed in Section 11.

g. Further response will be made depending on whether the subject of concern / alleged perpetrator falls within the scope of Plan’s Child Protection Policy i.e. Plan Staff, Associate or Visitor in contact with children through Plan or outside the scope of the policy.

In serious cases it is necessary to take urgent action, but often CP concerns develop over time and not all are clear cut. It is still important to report them to your manager as soon as they arise, but a longer process of internal reporting and decision-making may be appropriate. Senior managers locally and at regional level should be informed as soon as possible in the process.

1.2. Community and children reporting process

The process of mapping the local context is important in deciding how to deal with CP incidents taking place outside of Plan but which become known to staff. Concerns about a child or treatment of children in general in communities in which we are working should be acted upon in ways that are agreed as part of the mapping process and as described in the local procedures. Working with community leaders and structures on CP issues, protection of children, preventing harm and responding to CP concerns is an important part of the process.

A clear and accessible reporting system should also be established in consultation with children and members of the community with which the organisation works so that they know how and where to go to make a report and receive assistance. It is important that such a system identifies designated/elected focal points, by the children and community who are trained and able to receive a report. It should also allow for confidentiality and accommodate anonymous reporting mechanisms (e.g. report boxes).

In addition, Plan staff should be discussing CP measures and responses with local partners, CP agencies and other key actors in the community and with statutory agencies as part of agreeing referral arrangements. It is the responsibility of Plan staff to report concerns about actual or suspected abuse within communities and to ensure that appropriate responses are made in line with locally agreed processes. Plan staff should not normally become responsible for investigating concerns.

1.3. Where the alleged perpetrator is within the scope of the Child Protection Policy

(I.e. Plan Staff, Associate or Visitor in contact with children through Plan)

In all cases where a criminal offence is indicated, consideration must be given to reporting the matter to the national / investigative authorities.

- Where there is no apparent criminal breach and no need to take urgent action, a process of internal discussion and decision-making will be initiated following the report. Local senior managers should report the incident to the Global Child Protection Advisor (GCPA) at IH as soon as possible. The GCPA will inform and involve key people at IH level and liaise with the office making the report to assist in developing an action plan for responding to the concern.

- Where a staff member is involved, an early decision on ‘suspension without prejudice’ needs to be taken.

- Where a Plan associate or visitor in contact with children through Plan is involved, an early decision on ‘suspension’ of all activities involving contact with children needs to be taken.

The decision to suspend should be supported by the information given at the time of the report or as a result of any fact finding exercise undertaken to establish the exact nature of the complaint, concern or allegation (please refer to Section 12 ‘Investigation’). However if this entails delays and the person is in contact with children through their role then a decision may be made to remove them from their duties temporarily pending the outcome of the fact finding exercise.

- Where a formal investigation is being undertaken then removing a staff member from active duty until the investigation/formal follow-up is conducted is often a sensible precaution to take for many
reasons. Preparing for potential PR issues and getting legal advice may also require involvement of key people in the process.

However each Plan office should ensure that the above guidance takes into account any local legislation pertaining to labour matters. This must be complied with in the first instance.

Working in conjunction with staff already involved in the process at regional and country levels, the GCPA and other IH staff will agree a strategy for managing each case and agree actions to address the situation. This may involve investigation of the situation either by consideration of referral to statutory authorities for criminal investigation under the law of the country, and/or by Plan in accordance with disciplinary procedures. This may result in disciplinary sanctions and/or dismissal for Staff or severance of all relationships for any Plan Associate or Visitor who is proven to have committed child abuse.

A process of feedback and evaluation of lessons learned will follow on from each case to inform subsequent handling of CP incidents and development of policy and practice in this area. This is fully detailed in the document ‘Guidelines for Carrying out Administrative Investigation’.

1.4. Where the alleged perpetrator is outside the scope of the Child Protection Policy (i.e. not a Plan Staff, Associate or Visitor in contact with children through Plan)

- In all cases, where a criminal offence or serious abuse is indicated, consideration must be given to reporting the matter to the national investigative authorities and/or local child protection agencies as identified in the local mapping.

- In addition where Plan staff receive reports or disclosures about actual or suspected child abuse on the part of staff working in other agencies, it is important that these reports are documented and then passed on to the line manager / child protection focal point as described in the local procedures. The concerns must be relayed by a senior staff member to the local head of agency (preferably in person) and also in writing to IH (to the CEO, for example, or Director of People and Culture).

- Plan should seek feedback on progress and outcomes of the referral it has made. Where it appears that no or insufficient action has been taken to protect children, Plan may decide to pursue further action.

1.5. Reporting to National Authorities

In every case in which a crime appears to have been committed against a child/children the default position should be for immediate referral to the police or relevant statutory authorities responsible for investigating such matters and for protecting children. However, this needs serious consideration in countries / places where there are doubts about the integrity and/or competence of police or other agencies and therefore where referrals could lead to violation of the best interest of the child.

Completion of a mapping exercise will help in developing appropriate external reporting procedures. Where concerns exist about the consequences of external reporting, this mapping process should also assist in identifying the most appropriate way of reporting and responding to serious child protection issues locally.

The decision to inform or not inform the authorities should be taken by the most senior manager locally, normally in consultation with others in the reporting line unless urgent action is required.

Any decision not to report allegations which constitute a crime (e.g. sexual abuse) to police or other statutory authorities should be documented, with reasons for not doing so.

Such a decision must be informed by ‘the best interest of the child’, the protection needs of other children (for example failure to report someone to the police may expose other children to subsequent abuse) and Plan’s legal and professional responsibilities.

All decisions must be documented and appropriately endorsed by the Director or other senior manager as designated in the local procedures.
2. Local Procedures

The reporting process (section 7) and procedure (section 8) outlined above provides the basic model for reporting CP concerns in Plan. However, it is important that offices use and adapt these procedures to develop local procedures that describe how to raise concerns in the country and in each geographical location (e.g. programme unit). Staff need to be clear about who to go to and what will happen next as part of the process.

Local procedures should also include

i) Guidance, within the local context, on what action to take if there are concerns about the child (and family’s) safety or welfare (which makes it clear that the protection of the child is the most important consideration).

ii) Agreed management guidance on when and how to report concerns to the national authorities. This should include a consideration of the scope and responsibility of the office plus level of involvement of the external agency/authority the case is referred to, based on the outcome of the mapping exercise.

iii) Identification of local/cultural/traditional/commonplace practices that might pose a challenge to the Child Protection Policy (e.g. early marriage, child labour, physical punishment, female circumcision etc) and how these will be responded to.

iv) Details of external child protection mechanisms (statutory, inter-agency, community based etc) that can be called upon for advice, information, support and assistance when responding to child abuse and exploitation.

v) Clearly defined and documented roles and responsibilities for those raising or receiving complaints (consideration is given to ensuring a gender balance of personnel in the reporting structure). The local reporting routes identified should include names and contact details. An example of what a local reporting process may look like on the next page.

Each Plan office should have in place local procedures which enables the global procedure to be implemented on the ground within the context of their country or locality.

Note: In some countries the global procedure as it stands is sufficient and will not need much adaptation to the local context. However, at a local level there should at least be an addendum to the global procedure covering points i, iii and iv above at the very least.
Child Protection (CP) Issue suspicion, incident, allegation

Record detail using the Incident/Loss Notification form. Report issue immediately to line manager or designated child protection focal point. Complete initial risk assessment. Other people to be informed: Country Director / Regional Director / National Director.

If necessary, arrange urgent medical assistance and/or immediate protection if the child is in imminent danger.

Where allegation suggests a crime may have been committed e.g. serious physical assault, sexual abuse, report externally to national authorities.

Incident involves individual external to organisation

Refer to relevant local agency / body

If incident is serious please also notify the Global Child Protection Advisor at IH

Incident involves individual internal to organisation – i.e. Staff or Associate

Report to Global Child Protection Advisor (GCPA) at IH Within 24 to 48 hours

A full risk assessment is carried out depending on severity of incident

GCPA informs / involves other senior staff. Plan Serious Incident Group / Case Management Meeting convenes as required

Agree nature of allegation / concern and level of investigation required, i.e. decision regarding referral to:

Police

CP Services (Statutory)

Internal Investigation

Additional reference documents
A police background check is a document from a government authority that states whether the person is recognised as a good citizen and if there is any history of the person having been arrested and found guilty of breaking a law related to child protection or violence towards women. In some countries the system for receiving such information may cover any offences, and is not limited to issues of child abuse or gender based violence.

Who issues the police background check?
A government authority. Often the document issued by the police or another central government agency states whether there has been any record of trouble with the police or justice system. Sometimes a local government agency will issue the document.

If police checks cannot be obtained in a country what else can you do?
Most countries can fulfil the requirement for the local equivalent of a police background check; however, some organisations will not be able to obtain police checks. For example, the Government may have no system to issue documents, it may be against the law to request the documents, or security risks to staff may increase if background checks are requested. In these cases, it is suggested that an alternative mechanism for reference checking is developed.

Who obtains the background check?
Normally the employing organisation would obtain the certificate directly in order to reduce the risk of fraud. However, local privacy laws or justice systems may require that background checks be issued only to the individual and not to World Vision. If your office must obtain police background checks from the individual, the alternative procedure can be approved.

What offences are considered unacceptable?
All abuses against children:
- physical (assault, battery, murder)
- sexual
- neglect
- abduction
- kidnapping
- trafficking
- child labour
- rape
- assault

Violence against women:
- rape
- assault / battery
- domestic violence: children who live in situations of domestic violence even if not experiencing the physical violence themselves are impacted significantly

Any convictions for:
- human trafficking
Convictions that need to be reviewed based upon judgment of the situation
Some convictions could be taken into consideration, if it is determined that the current risk to children is small. Here are some examples:

Indecent exposure
If an adult has exposed private parts of the body in a local park or public place this would be a serious concern; yet, a conviction would be considered less serious if, for example, as a youth the person took off his / her clothes at a beach party and was caught by the police.

Drugs and alcohol
A conviction for trafficking of drugs as an adult would be of serious concern; whereas, if the person had been in possession of a very small amount of a drug at a party as a youth, the circumstances may be interpreted differently. Likewise, if an adult has had many drink-driving convictions this indicates a serious problem that could impact his / her work and relationship with children. If the drink-driving offence occurred when the person was a teenager the situation would likely be less serious.

Child endangerment
While this may seem to be an abuse, there may be occasions where the risk to a child in a WV project or community would be negligible. For example, a parent may have been charged with endangerment for insufficiently supervising a child who wandered out of the house and drowned while that parent attended to another child.

TOOL 6.4 EXAMPLE OF HOW A REQUEST FOR A POLICE CHECK CAN BE INITIATED
(The format would be based on discussions with the relevant police department to make the process as efficient as possible).

<Date>

<Police department name>

To whom it may concern: <Organisation> is an international, humanitarian, children’s development organisation without religious, political or governmental affiliation. Child sponsorship is the basic foundation of the organisation.

We encourage the development of a relationship between a sponsor here in <organisation> and a child overseas. Occasionally, sponsors wish to travel to visit the child they sponsor and see some of the community development projects their sponsorship has helped fund. This means that they are travelling to meet the most vulnerable children in a developing country. <Organisation> takes very seriously its responsibility to ensure that the children in our program areas are not put at risk, and thus requires satisfactory clearance of a police records check and a vulnerable sector check before we will allow a visit to go ahead.

We have asked <sponsor name> to request these checks from your police department, and this letter serves to confirm the purpose for which the checks are required.

If there are any questions, feel free to call me at <organisation>. Thank you for your assistance.

Sincerely,

Director

Sponsor Relations.

Exemption procedures for compliance with child protection standards
Most countries can fulfil the requirement for a police background check or a local equivalent; however, there are some countries where it is not realistic to fulfil this requirement. This may be due to:

• security risks for staff if this is requested
• the Government simply having no system to issue such documents
• recent war / conflict / hostilities resulting in the destruction of legal documents
• it being against the law to fulfil this required standard
• working in a part of the country that is controlled by an authority acting independently from the central government, so there is no access to official records.

**Exemption procedure**
In order to receive a formal approval for exemption, the following procedure is suggested.

a. A written document from the requesting office, on official paper using the template below.

b. The document provides legitimate and supportable reason(s) why the exemption is requested, outlines what steps were taken to investigate the possibility of compliance, and indicates that full compliance is not available.

c. The document outlines alternative steps that will be taken in lieu of the police check e.g. A third reference check will be obtained following child protection reference check standards. Where legally possible, this may include obtaining references from earlier positions.

d. If police checks can be obtained, but only by the individual, then Section B of the annex should be completed. The circumstances must be explained as shown.

e. Finally, the document is signed and dated by the senior person requesting exemption for the office concerned. There should be clear guidance on arrangements for where the documents are sent to and how the information will be stored.

The exemption should be reviewed every three years.
TEMPLATE REQUEST FORM FOR AN EXEMPTION FROM A POLICE BACKGROUND CHECK  adapted from World Vision.

Address of office
Date

SECTION A: Complete when full exemption is requested

To whom it may concern
_______________ requests exemption from the police or background check for the following reasons:
[List the reasons]
1.
2.
3.

The following steps were taken to verify that it is not possible to obtain this information.

A third party ______________________ (e.g., name of lawyer) has investigated the possibility and has confirmed the above information.

In order to ensure due diligence and reduce risk the following steps will be taken in lieu of the police or government issued record of conduct ______________________ will:
[insert specific actions]

OR SECTION B: If [name of agency] cannot obtain the background checks directly, because the individual is required to obtain it.

_______________ is not able to request police background checks directly. The checks must be obtained by the individual. Reasons for this include the following: (tick which applies)

☐ Privacy laws require that the individual applies. The law applying to this is (quote the actual law or regulation)

☐ The country is designated as operating in a restricted environment and while the law does not prevent applying there could be risk to the organisation if this system is applied. Please explain the risks.

☐ The law allows the organisation to apply but there is no system other than an individual applying.

☐ Other (please explain)

REQUESTED BY:
Name of requesting officer: 
Signature of requesting officer: 
Date: 

APPROVED BY:
Name: 
Signature: 
Date: 

Original signed copy (each page initialled) to be kept

Additional reference documents
TOOL 6.5 SAMPLE CHILD PROTECTION CHARACTER REFERENCE FORM ADAPTED FROM THE CONSORTIUM FOR STREET CHILDREN

To whom it may concern:
The applicant below has submitted your name to us to act as a character reference with particular regard to child protection issues. We would be extremely grateful if you could fill out the brief form below and return it to us in the envelope provided. Please note that this is a character reference only and you are therefore not expected to comment on the applicant’s professional abilities. Please be assured that this information will be kept strictly confidential and destroyed when the applicant ceases to work for us.
Many thanks for your help.

Applicant name:
Reference submitted by:
Submitted on:

Knowledge of the applicant:
How long have you know the applicant?
In what capacity have you known the applicant?

Emotional maturity:
Please comment on the applicant’s ability to adapt and work under difficult and changing conditions.

Child protection:
All staff have both direct and indirect access to extremely vulnerable children. To your knowledge, is there any reason why the applicant would not be suitable for a position in this organisation?

Additional comments and supporting information:
Signed:
Date:
The UN Convention on the Rights of the Child (1989) states that a child is under the age of 18 years of age. The convention, which takes due account of the importance of traditions and cultural values for the protection and harmonious development of the child, states that a child has a right to be protected from physical and mental violence, injury, abuse, neglect or negligent treatment, maltreatment or exploitation including sexual abuse. All countries, except the USA and Somalia, have signed in agreement with the convention and agreed to adopt it into international law in 1990.

In accordance with this convention we ask that all persons working or volunteering with us abide by good practice and agree to keep children safe from harm when relating and working with children. In addition we ask that all persons declare the following:

Have you ever been convicted of a criminal offence or been the subject of a caution or of a Bound Over Order (please tick)

☐ YES
☐ NO

If yes, please state below the nature and date(s) of the offence(s)

FULL NAME (PRINT):
ANY SURNAME PREVIOUSLY KNOWN BY:
ADDRESS:
POSTCODE:
DATE OF BIRTH:
PLACE OF BIRTH:

DECLARATION
I understand that, if it is found that I have withheld information or included any false or misleading information above, I will be removed from my post whether paid or voluntary, without notice. I understand that the information will be kept securely by the organisation.

I hereby declare the information I have provided is accurate.

Signed:       Date:
Tool 6.8 Implementing Awareness and Prevention Measures in Recruitment and Selection
(draft) from Save the Children

Measure: Recruitment and selection of staff and others must reflect Save the Children’s commitment to safeguard children by ensuring checks and procedures are in place to screen out anyone who may be unsuitable to work with children.

<table>
<thead>
<tr>
<th>Measure</th>
<th>How to implement</th>
</tr>
</thead>
</table>
| 1.1 Job advertisements contain reference to Save the Children’s Child Safeguarding policy | Job advert:  
- child safeguarding statement in advertisement for post  
- child safeguarding statement and specific responsibilities of the post holder included in the job description |
| 1.2 Information to candidates includes reference to Child Safeguarding (CS) and CS recruitment and selection procedures | Information to applicants include:  
- summary of Child Safeguarding Policy  
- Disclosure of Convictions form  
- Consent to Criminal Records Check form |
| 1.3 Employment interviews pay attention to CS factors and suitability of candidate to work children/within CS policies | Employment interview:  
- interview questions developed to determine attitudes, perceptions, behaviours of candidate about children / child safeguarding issues (should be general but also specific to the position)  
- Identification and resolution of employment gaps  
- questions on convictions/disciplinary record  
- questions on child safeguarding issues relevant to role |
| 1.4 Successful candidates are subject to thorough background checks prior to employment being confirmed | Pre-employment vetting:  
- criminal records checks  
- Reference Enquiry Form to include specific reference to work with children  
- sight check on qualifications claimed on application form  
- job history checked through  
- passport requested as proof of identity, where available  
- Reference checks include questions around candidate’s previous professional or personal conduct around children (and any concerns) |
| 1.5 Any employee who has access to children’s data must be have the same background checks as those employees who have direct contact to children |
In order to safeguard the children involved in our projects, World Vision will screen all current employees, potential employees, volunteers, interns, consultants, and all National Board Members. This screening will consist of a background check for any convictions for child abuse, paedophilia or related offenses. The background check will be done by:

- The respective WVI branch, regional, sub-regional or national / country office.
- In countries where only the national is allowed by law to request a background check, the applicant will be requested to get a background check and provide a certified copy.

All individuals will be advised that any convictions for child abuse, paedophilia or related offenses will result in non-selection for a position or clearance to visit a project. World Vision will use the following processes:

a. At time of application, applicants will be asked to sign a “Pre-employment Inquiry Release Form”, where applicable, as part of his/her application process.

b. All applicants will be asked to sign a “Background Check Release and Authorisation” form as part of his or her application process. All candidates being considered for a position with WVI will have a background check prior to employment. If a prospective applicant refuses to submit to a background check, this will result in disqualification for employment with WVI. New applicants will be informed initially that WVI takes the issues of child protection seriously and screening of new applicants will also include prior employer references and other traditional employment processes.

   i. General recruitment: Clearance to move forward with the assignment of the successful candidate will be dependent on the outcome of this background check.

   ii. Relief and emergency response recruitment: Candidates will still be required as a condition of employment to have a clear police background and identification check prior to full acceptance as an employee by WVI. In the event of delay in obtaining police checks outside the control of WV, the candidate may be assigned immediately, on a provisional basis, only AFTER the following conditions have been met:

      • The National / Country office has been alerted that the child protection background check has not been completed and the candidate’s employment is provisional upon a receipt of clear background check within 90 days.

      • Documented general and child protection reference checks have been completed on the candidate;

      • Documented child protection interview of the candidate has been undertaken by a skilled human resource or child protection officer.

      • Written documentation of all reference checks and interview(s) and all other relevant information has been kept on file.

      • A signed Declaration of Compliance form has been provided by the candidate.

   WVI must receive the clear police background and identification check within 90 days after the candidate has accepted employment. Pending final receipt of the candidate’s child protection background check, WVI or the National/Country office shall have the right to limit the candidate’s work to the office or access to the children. Failure to provide a clear police background and identification check within 90 days of employment will result in the candidate being recalled from the assignment and his or her contract terminated.

c. All volunteers, interns, consultants, independent contractors and National Board or Advisory Council Members will be requested to consent to a background check.

d. All current staff will be asked to submit to a background check. Any convictions for child abuse, paedophilia, or related offenses will subject the employee to re-assignment or termination. If a current
employee refuses to submit to a background check, the employee will be subject to termination. If an employee refuses to authorise a background screening required prior to a potential promotion or reassignment, the employee automatically removes his or her candidacy.

e. All staff who may be in contact with others who are involved in World Vision projects will be provided with training by a member of the Human Resources team or an appropriate designee relating to:

• Awareness and indicators of child abuse
• Procedure to adopt if abuse is alleged or suspected
• Security of information

Manager’s notes: A process for screening and selecting staff is imperative. It is important to also have a minimum of staff involved in the review of background check results. When too many people are involved in the background screening process, it increases the chance that information will not be kept as confidential as required. Background checks should be handled by the HR professional who is responsible for the recruitment of that staff member. The recruiting office will handle background checks. If there is any question on results at any level, then Child Protection Director should be contacted.

2. Guidelines on conducting / reporting background checks
World Vision will obtain background reports that have been designed only for employment as the permissible purpose. WVI reserves the right to deny employment based upon such background check results. WVI’s decision will make a decision after reviewing all of the information obtained (including the job interview).

a. Before requesting a background check, an authorised person in the Human Resources department (the recruiter in the case of support and regional offices or the human resources representative in the case of national or sub-regional offices) must sign and have on file a written certification form. The certification form requires the user of the report to certify as to the permissible purpose intended. Employment is a permissible purpose.

b. Information obtained will be locked in confidential files in the Human Resources department in the hiring office.

c. The WVI Child Protection Director or the Head of Human Resources department or an appropriate designee will handle any information for convictions for child abuse, paedophilia, or related offenses.

Manager’s notes: Human Resources in the hiring or recruiting office will coordinate all background checks. This process will be implemented prior to new employees being placed into a job assignment.
 TOOL 6.10  SAMPLE CODE OF CONDUCT
from Tearfund

This code of conduct is for all Tearfund staff, consultants, volunteers and partners.
It is important for all staff and others in contact with children to:

• be aware of situations which may present risks and manage these
• plan and organise the work and the workplace so as to minimise risks
• be visible to others when working with children whenever possible
• create and maintain a non-defensive attitude and an open culture in which to discuss any issues or concerns
• foster a culture of mutual accountability so that any potentially abusive behaviour can be challenged
• develop a culture where children can talk about their contacts with staff and others openly
• respect each child’s boundaries and help them to develop their own sense of their rights as well as helping them to know what they can do if they feel that there is a problem.

In general, it is inappropriate to:

• spend excessive time alone with children away from others
• take children to your own home, especially where they will be alone with you.

Staff and others must never:

• hit or otherwise physically assault or physically abuse children
• develop physical / sexual relationships with children
• develop relationships with children which could in any way be deemed exploitative or abusive
• act in ways that may be abusive or may place a child at risk of abuse.

Staff and others must avoid actions or behaviour that could be construed as poor practice or potentially abusive. For example, they should never:

• use language, make suggestions or offer advice which is inappropriate, offensive or abusive
• behave physically in a manner which is inappropriate or sexually provocative
• have a child / children with whom they are working to stay overnight at their home unsupervised
• sleep in the same room or bed as a child with whom they are working
• do things for children of a personal nature that they can do for themselves
• condone, or participate in, behaviour of children which is illegal, unsafe or abusive
• act in ways intended to shame, humiliate, belittle or degrade
• discriminate against, show different treatment, or favour particular children to the exclusion of others.
The International Foundation Terre des Hommes Code of Conduct is a statement of the expectations the Foundation has of its employees and others when they come into contact with children. All employees and others in contact with children shall be aware of its requirements bearing in mind that a duty of care exists whereby employees and others not only have to apply principles of good practice in their work with children but have in addition a responsibility, and in many cases a legal duty, to ensure the protection and safety of children in their care. Children are vulnerable to the risk of harm from a variety of sources and employees and others have a responsibility to reduce risk by challenging bad practice and thereby identifying and mitigating risks to children with whom they have contact.

The Terre des Hommes Code of Conduct represents a general framework for adult behaviour and contact with children. Employees and others are required to operationalise the code of conduct, as part of the child protection policy, in programmes and activities, both in Switzerland and overseas, by considering child protection in the local context and the individual nature of programmes and activities.

Bearing in mind the rights of the child will be upheld by the International Foundation Terre des Hommes, employees and others in contact with children are obliged to:

- strive to understand children within the local context in which they live
- work with children in a spirit of co-operation and partnership based on mutual trust and respect
- work with children in ways which enhance their capacities and capabilities and develop their potential
- treat children with respect and recognise them as individuals in their own right
- regard children positively and value them as individuals with specific needs and rights
- value the views of children and take them seriously.

The aim of this code of conduct is to uphold the rights of the child, the International Foundation Terre des Hommes believes it is the right of children to:

- be listened to and have their views given careful consideration
- be encouraged and helped to participate in decisions which affect them
- have their welfare and development promoted and safeguarded so that they can achieve their full potential
- be considered players in their own development with health, safety, well-being and their best interest considered of paramount importance
- be valued, respected and understood within the context of their own culture, religion and ethnicity
- have their needs identified and met within the context of the family wherever possible.

Employees and others, who come into contact with children, should always:

- empower children by promoting children’s rights and raising awareness
- avoid situations which isolate children and where behaviour cannot be observed such as in cars, offices and homes
- challenge poor practice and recognise potential pitfalls which might lead to child abuse
- promote a culture of openness where issues and concerns can be raised and discussed
- ensure visibility, whenever possible, with children and apply the two adult rule or arrange a suitable alternative
- organise awareness workshops with children to define acceptable and unacceptable behaviour with adults
- discuss openly with children about their contacts and relationships with employees and others

Additional reference documents
• discuss issues of concern with children and explain how to raise concerns
• identify and avoid compromising and/or vulnerable situations which might lead to accusations
• ensure when making images of children (photos, video etc.) that they are respectful, that the children are adequately clothed and that sexually suggestive poses are avoided.

**TOOL 7.1 EXAMPLES OF RESPONSIBILITIES TO INCLUDE IN JOB DESCRIPTIONS FOR SPECIFIC POSTS**

*from Save the Children UK*

**General statements / messages which can be inserted into your Terms and Conditions documents**

All staff have an obligation and a responsibility to:

• ensure they fully understand the provisions of the child safeguarding policy, the code of conduct and local / country procedures
• conduct themselves in accordance with the rules of the child safeguarding policy, in their personal and professional lives – which includes reporting suspicions of child abuse
• ensure the way they are carrying out their work is not putting children at risk (or further risk) – this means constantly scrutinizing their work through a child safeguarding lens and talking to children about possible design / implementation “flaws”
• promote the message of child safeguarding to colleagues in other organisations and government ministries, children in their own and beneficiary families, and community members in general
• be vigilant about observing possible child abuse / harm in their personal and professional lives

All managers have the above responsibilities as well as ensuring their staff are doing the above and that child safeguarding is integrated and given a “voice” in all management processes including recruitment, induction, performance management, team meetings, annual planning processes, field level monitoring, etc

**General statement for Manager JDs**

• Responsibility to create and maintain a managerial and operational environment where the child safeguarding policy is effectively implemented
• Understand and fulfil their specific and additional responsibilities in achieving compliance of Save the Children’s child safeguarding policy standards. For the position of <job title> this includes: (and then a statement would be drawn from the below table, for that particular post)
## SPECIFIC POSTS RESPONSIBILITIES

<table>
<thead>
<tr>
<th>Position</th>
<th>Responsibility statement</th>
<th>Indicator(s)</th>
</tr>
</thead>
</table>
| IT Manager                | Develop specific country level guidance and training on the safe use of information technology (internet, websites, digital cameras, etc) to ensure that children are not put at risk of exploitation, increased vulnerability, or any form of harm or indignity. Oversee the monitoring of staff internet usage, to ensure compliance with Save the Children policies including child safeguarding. | • production of a specific guidance document, drawing on existing Save the Children policy  
• system to monitor its compliance is developed and put in place |
| Communications Manager   | Develop specific and contextual country level guidance to ensure that children who participate in media or communications work are protected from exploitation, increased vulnerability, or any form of harm or indignity. | • production of a specific guidance document, drawing on existing Save the Children global policy  
• system to monitor its compliance is developed and put in place |
| Child Rights Governance Manager | Ensure that children’s activities are safe for children and that all steps are taken to ensure their meaningful and safe participation                                                                                       | • risk assessments, mitigation measures and the appointment of staff responsible for the a priority safety of the children at the event. |
| HR Manager                | Review, identify gaps and strengthen recruitment processes to ensure rigorous compliance with the child safeguarding policy; ensure HR staff are trained / skilled in recruiting personnel through a child safeguarding lens; and ensure child safeguarding is incorporated into the performance management system. | • gaps in the current system (and within the current HR team) are identified, documented and improvements put in place, including strengthening of HR staff skills, and incorporation of child safeguarding into performance management systems |
| HR Officers               | Ensure compliance with all aspects of recruitment processes that aim to prevent the recruitment of staff who may potentially be unsuited for work in a child-focused organisation; and proactively identify / address any gaps in your own skill level or understanding in how to recruit staff through a child safeguarding lens. | • 100% annual compliance in all aspects of the Child Safeguarding self-audit assessment which pertain to recruitment  
• gaps in the current recruitment processes (including skill level of HR staff) are identified, documented and improvements put in place. |
<table>
<thead>
<tr>
<th>Role</th>
<th>Task</th>
<th>Indicators</th>
</tr>
</thead>
<tbody>
<tr>
<td>M&amp;E Manager</td>
<td>Ensure that child safeguarding and child protection mainstreaming are integrated into all M&amp;E frameworks through measurable output and outcome indicators; and lead the process of piloting and scaling up local level beneficiary complaints’ mechanisms in relation to staff conduct, with an emphasis on the child safeguarding policy and measures to prevent sexual exploitation of women and children.</td>
<td>• all M&amp;E frameworks include at minimum an indicator to monitor beneficiary feedback (men, women, children) about a) staff conduct towards in relation to SEA and the Child Safeguarding Policy, and b) broader programming interventions that might be putting children and women at risk of abuse, exploitation or harm.</td>
</tr>
<tr>
<td>Programme Managers</td>
<td>Ensure that your staff are providing all beneficiaries of your programme with ongoing, age-appropriate verbal or written information in relevant languages about Save the Children’s child safeguarding policy and code of conduct.</td>
<td>• number of sessions held • number / age / sex of participants</td>
</tr>
<tr>
<td>Field Officers</td>
<td>Ensure that all beneficiaries of your programme are receiving ongoing, age-appropriate verbal or written information in relevant languages about Save the Children’s child safeguarding policy and code of conduct.</td>
<td></td>
</tr>
<tr>
<td>Support Service Managers</td>
<td>Develop and pilot practical day-to-day approaches to increase awareness, commitment and interest in child safeguarding amongst support services staff.</td>
<td>• support services staff have a better understanding of how to apply child safeguarding in their day to day personal and professional lives.</td>
</tr>
<tr>
<td>Transport Manager</td>
<td>Develop and pilot practical day-to-day approaches to increase awareness, understanding and interest in child safeguarding amongst the drivers; develop a system to monitor and report on compliance with transport policy rules about transporting children safely.</td>
<td>• drivers have a better understanding of how to apply child safeguarding in their day to day personal and professional lives • system is established to document and report on all instances where children are transported in Save the Children vehicles, which includes feedback from children about conduct of drivers and staff.</td>
</tr>
<tr>
<td>Role</td>
<td>Responsibilities</td>
<td>See Terms of Reference for Child Safeguarding Focal Point</td>
</tr>
<tr>
<td>-------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------------------------------------------------------</td>
</tr>
</tbody>
</table>
| Head of Field Offices               | Child safeguarding Focal Point  
Provide leadership and guidance in appropriately managing external cases of child abuse and give overall technical support to the local implementation of the Child Safeguarding Policy annual action plan, with an emphasis on supporting managers in the ongoing process of identifying and addressing risks to children that are caused / exacerbated by programme design and intervention (i.e. mainstreaming child protection / safeguarding)  
Undertake a key role in the reporting of concerns / incidents |
| National Level Child Safeguarding Focal Point | Support the Country Director in providing overall leadership and oversight to the implementation of the Child Safeguarding Policy self-audit action plan                                                                 |
| Country Director                    | Provide overall leadership and oversight to the implementation of the Child Safeguarding Policy                                                                                                                                                      | • 100% of “fully met” criteria maintain that status  
• 25% annual increase in the # of “fully-met”                                                                                     |
| Deputy Country Director             | Support the Country Director in providing overall leadership, oversight and monitoring to the implementation of the Child Safeguarding Policy, with an emphasis on maintaining current successes as well as addressing key gaps identified in the annual child safeguarding self-audit |
|                                     |                                                                                                                                                                                                                                                            | • 100% of “fully met” criteria maintain that status  
• 25% annual increase in the # of “fully-met”                                                                                     |
SAMPLE PROJECT PARTNERSHIP AGREEMENT FORM
From CSC

This contract is between ______________________ and ______________________ to carry out the
assignment to the requirements of ______________________.

Terms of reference
The assignment will be carried out in accordance with the Terms of Reference attached.

Timescale
The assignment will be carried out between ______________________ and will involve organising the
logistics for a participatory evaluation of ______________________.

Accountability and support
During the assignment the point of contact with ______________________ will be
____________________.

Ultimate accountability rests with the Director of CSC.

Ownership of findings and acknowledgment
Any documents produced will be the property of ______________________ and ______________________.

Fees and receipts
An overall flat fee of ______________________.
It is required that ______________________ presents a financial and narrative report outlining
expenditure of funds by ______________________.

Child protection policy
____________________ has a comprehensive child protection policy in place which covers the activities
of all ______________________ staff and consultants.
____________________ agrees to comply by these child protection procedures and guidelines on
behaviour with children in any activities it undertakes with children.

Signatures

Before signing please ensure that you have read and agree to the terms of reference and contract condi-
tions (please keep one copy for yourself and return other copy to partner)
Signed in agreement ______________________ (AB)   Date ________________
Signed in agreement ______________________   Date ________________
Acknowledgements

This toolkit was written for Keeping Children Safe by Ms. Solveig Routier and funded by Plan International and Save the Children.

Ms. Solveig has worked for over 15 years in the humanitarian sector with the United Nations, governmental agencies and INGOs. She specialises in child protection in emergencies and is an expert on children’s needs assessment, programmatic strategy development, programme implementation, monitoring and evaluation as well as capacity building.

Thank you to LEADS, Sri Lanka who organised a workshop to review this toolkit in June 2010.

Thank you to the workshop participants:

Thank you to all Keeping Children Safe members who provided experience and examples from their own organisations and to the Oak Foundation for their support for Keeping Children Safe.

Other inputs from:
Corinne Davey, Director, Keeping Children Safe, Alex Dressler, Consultancy Manager and Sally Warren Communications and Advocacy Manager, Keeping Children Safe.

Edited and designed by: Geoff Sheridan at premonition.co.uk
Illustrations by: Aaron Matheson
Original photographs used as inspiration by kind permission of: Kathleen Armor, H.P Alting von Geusau & F. Staud at www.photostaud.com
All children, whoever they are and wherever they are, have a right to be protected.

Lessons learned from the past have shown that too often organisations do not prioritise the safeguarding needs of children when emergencies strike. Yet children suffer the consequences in the absence of such measures and abuse is likely to occur every time an emergency happens.

*Safeguarding children in emergencies Toolkits 1-3* provide a reference to safeguarding standards, helpful checklists, guidance notes, exercises tools and examples – specially selected and adapted to help you safeguard children during emergencies.