

Marist Solidarity Cambodia

CHILD PROTECTION POLICY

Introduction

Children with disabilities have the same rights as all children. However, they can be the most vulnerable of all because they are often invisible, isolated, discriminated against and abused in a variety of ways. They lack power, respect and life prospects all over the world.

Marist Solidarity Cambodia promotes the rights of children with disabilities to develop their potential, get an education, have a say, and take part in the wider society. We also believe that children with disabilities have the right to protection, to live and thrive in their own family and community.

Everyone working with children has a basic duty of care toward them. We must recognise the risks to children and our responsibilities to keep them safe. If children are to be protected from abuse and exploitation we must conduct ourselves with the highest levels of respect and honor at all times.

MARIST SOLIDARITY CAMBODIA COMMITMENTS

At MSC we are committed to a set of principles that come from the United Nations Convention on the Rights of Children (UNCRC):

- all children have equal rights to protection from abuse, exploitation and neglect;
- everyone has a responsibility to support the care and protection of children; and,
- organisations have a duty of care to children with whom they work and with whom their representatives work.

MSC is committed to the rights of children with disabilities and we will not tolerate or accept any form of child abuse.

SCOPE

This policy will apply to all people while engaged with MSC activities or working on MSC sites. This includes:

- Board Members;
- Staff fulltime/part-time/contract;
- Independent contractors and sub-contractors;
- Volunteers;
- Visitors.

DEFINITIONS

Child - For the purposes of this policy a child or children is considered to be any individual or a group of individuals under the age of 18 years and youth.

Child abuse - Both boys and girls can be the victim of child abuse, and abuse can be inflicted on a child by men, women and older children. It includes physical abuse, emotional abuse, sexual abuse, neglect or negligent treatment or commercial or other exploitation. It results in actual or potential harm to a child's health, development or dignity. Specific forms of abuse include:

- **Physical abuse:** the intentional causing of physical harm to a child. This may take the form of slapping,

punching, shaking, kicking, burning, shoving, biting, strangling, poisoning or otherwise physical hurting a child.

- **Emotional abuse:** involves a pattern of behaviour by adults towards children, which includes threats, rejection, isolation, belittling, name calling or other non-physical forms of hostile or rejecting treatment which erodes social competence or self-esteem over time.
- **Neglect or negligent treatment:** is the failure to provide a child - within the context of resources reasonably available to the family or caregivers - with the conditions essential for their physical and emotional development and well-being.
- **Sexual abuse:** occurs when someone uses their power or authority to involve a child in sexual activity. Sexually abusive behaviours can involve fondling genitals, masturbation, oral sex, vaginal or anal penetration by a penis, finger or any other object, fondling breasts, voyeurism, exhibitionism or exposing the child to, or involving the child in, pornography. Both boys and girls can be victims of child sexual abuse.

CODE OF CONDUCT FOR WORKING WITH CHILDREN

A code of conduct makes clear what is acceptable during interactions with children whilst at MSC. It gives adults confidence to know that their behaviours are appropriate but only if they align with the code of conduct.

MSC expects that all people engaged with our activities will consistently abide by the following points which form the MSC Code of Conduct. They will also consistently advocate that all children are treated in these ways by others. A sign record of their agreement to uphold the Code of Conduct will be held by MSC.

I understand that while involved with MSC's activities, I must:

- treat children with respect regardless of: race; colour; gender; language; religion; political or other opinions; national, ethnic or social origin; disability, birth or other status;
- not use language or behaviour towards children that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate;
- not engage a child under the age of 18 in any form of sexual intercourse or sexual activity, including paying for sexual services or acts;
- wherever possible, ensure that another adult is present when working in the proximity of children. Any one-on-one contact sessions will only occur with prior approval by the appropriate authority;
- not invite unaccompanied children into my home, unless they are at immediate risk of injury or in physical danger;
- not sleep close to unsupervised children unless absolutely necessary, in which case I must obtain permission from management, and ensure that another adult is present if possible;
- use any computers, mobile phones, video cameras, cameras or social media appropriately, and never to exploit or harass children or access child exploitation material through any medium;
- not use physical punishment on children;
- not hire children for domestic or other labor which is inappropriate given their age or developmental stage, which interferes with their time available for education and recreational activities, or which places them at significant risk of injury;
- comply with all relevant local legislation, including the Cambodian Labor Law in relation to child labour;
- immediately report concerns or allegations of child exploitation and/or abuse and breaches of the MSC Child Protection Policy or Code of Conduct for Working with Children;
- immediately disclose all charges, convictions and other outcomes of an offence, which occurred before or occurs during my association with MSC that relate to child exploitation and/or abuse.

When photographing or filming a child or using children's images for work-related purposes, I must:

- assess and endeavor to comply with local traditions or restrictions for reproducing personal images before photographing or filming a child;
- obtain informed consent from the child and parent or guardian of the child before photographing or filming a child. As part of this I must explain how the photograph or film will be used;

- ensure photographs, films, videos and DVDs present children in a dignified and respectful manner and not in a vulnerable or submissive way. Children should be adequately clothed and not in poses that could be seen as sexually suggestive;
- ensure images are honest representations of the setting and the facts;
- ensure file labels, meta data or text descriptions do not reveal identifying information about a child when sending images electronically or publishing images in any form.

PROCEDURES

The procedures listed in this policy are clear statements that describe how MSC will address particular issues. MSC is committed to consistently following these procedures.

RECRUITMENT AND SELECTION AND INDUCTION

MSC is committed to the following recruitment practices that aim to mitigate unacceptable risk to children engaged in our programs. MSC will:

- include in all job descriptions a statement outlining MSC's commitment to Child Protection and consequences if an employee does not obey the MSC Child Protection Policy and the Code of Conduct when working with children;
- ensure past employer referees are contacted to check that the candidate has no prior record of breach of child protection;
- require a current police clearance if possible, and where not available, MSC requires a minimum of two verbal referee checks from community persons, who are not a relative, to establish if the candidate has no past history or convictions relating to child abuse and/or child exploitation;
- ask at least one question during recruitment interviews that presents a hypothetical scenario relating to child protection and the answer must demonstrate an understanding of the basic principles of child protection;
- provide an introduction to the MSC Child Protection Policy along with a copy of the Policy to all new employees and volunteers as part of an induction program;
- require all staff and volunteers to sign an acknowledgement that they have read and understand the MSC Child Protection Policy, and will accept by the MSC Code of Conduct for Working with Children.

TRAINING

MSC is committed to educating all those engaged with our activities on their expected behaviours when engaging with children.

The MSC Induction Program will include Child Protection training for new staff, volunteers and partners. The training will include the presentation of the MSC Child Protection Policy, identification of possible child protection issues, and implementing risk reduction solutions that maintain a safe environment for children.

MSC will also arrange regular training with our staff on issues relevant to promoting the safety, protection and well-being of children.

REPORTING CONCERNS

WHAT SHOULD BE REPORTED?

Staff, volunteers or partners of MSC activities must report to MSC when they have a reasonable belief that a child has been harmed or is at potential risk of harm when it is due to the actions of a staff member, volunteer or partner of MSC. Harm includes, but is not limited to, the forms of child abuse as identified in the 'Definitions' section of this policy.

Cases where children have been harmed or are at risk of harm due to the actions of someone not associated with MSC may also be reported.

Concerns that must be reported include:

- An observation or disclosure of actual harm or abuse to a child;

- An observation or disclosure of potential risk of harm to a child;
- A breach of the CET Child Protection Policy or Code of Conduct for Working with Children;
- An observation of possession of child exploitation material.

MSC also expects staff and volunteers to be observant for indicators of child abuse and to raise concerns, even in the absence of a disclosure.

If you are not sure if what you have seen or heard is harm or risk of harm to a child, talk to the MSC Executive Director.

WHO DO YOU NEED TO REPORT TO?

A report must be made to one of the following (in order of priority):

- Executive Director;
- Principal;
- Registrar;
- Member of the Board.

HOW DO YOU MAKE A REPORT?

Reports can be made in person or by telephone as soon as possible. Verbal reports should be followed up with written notification within 24 hours.

WHAT DO YOU NEED TO INCLUDE IN THE REPORT?

You should provide as much objective information as possible, including:

- Dates, times, how you were made aware of the alleged breach of the Policy or Code of Conduct; communication of disclosure;
- Names of people/organisations involved;
- Details of alleged incidents;
- Which authorities have/will be informed;
- Activities/interventions already undertaken;
- Support services engaged;
- details of what MSC proposes to do ;
- any other relevant information.

RESPONDING TO A CONCERN

Once a report has been received, the primary concern is place a child in a safe environment.

A full investigation is then to be instigated by MSC. All information provided in a report will be treated confidentially and professionally.

A decision to notify police or other relevant authorities will be based on the type of concern reported, legal responsibilities and the best interests of the child/children involved.

A decision to suspend a staff member or volunteer may be taken while an investigation is underway, however MSC will ensure that this process is just and fair.

The following advice should be followed in the event that a child discloses a concern to staff, volunteers or partners of MSC.

- Remain calm and in control of your feelings;
- Tell them that you believe them;
- Listen carefully to what they are saying;
- Don't ask lots of questions - listen to what they want to tell you;
- Tell them it is not their fault and you are pleased that they told you as you can now do something about it;
- Take steps to distance the alleged perpetrator from the child.

CONSEQUENCES

MSC is committed to preventing a person from working with children if they pose an unacceptable risk to children.

Following a formal investigation, a confirmed breach of the Code of Conduct for Working with Children may lead to the instigation of disciplinary procedures for staff, including dismissal or transfer to other duties, or the termination of a volunteer relationship.

RELATED POLICIES AND REFERENCES

DFAT Child Protection Policy, 2013 <http://aid.dfat.gov.au/publications/Pages/child-protection-policy.aspx>

Local regulations and MSC documents are to be inserted