

Child Protection Policy

Definition, Policy and Guidelines

1. General Principles and Definitions

Introduction and Purpose of Policy

As a development organization, Aid for social protection program Foundation Vietnam (AFV) is committed to the wellbeing of children and our child centered activities are based on principles of the Convention of the Rights of Children 1989 and the Declaration of Human Rights 1948. These are:

- Best interest of the child
- Non discrimination
- Freedom of expression
- Respect for child opinion in matters affecting him/her
- Participation of the child

AFV does not tolerate any form of child abuse or exploitation. The purpose of this policy is to ensure that AFV has procedures in place to prevent and deal with child abuse and exploitation by any staff, supporters and partners of AFV. This policy will apply to all AFV staff and partner staff as well as supporters and donors and all AFV Board members.

Definition of a child

Any person under the physical age of 18 years

Forms of Child Abuse and Exploitation and how to recognise It

Please see Appendix 1

How AFV interacts with children

- Programmes (i.e. our work on the ground – AFV and Partners)
- Marketing and Campaigns (using children’s images, stories etc. to promote our work for marketing or campaign purposes) and Child Sponsorship activities (e.g. child message collection)
- Supporter Visits
- HR related matters (staff recruitment, induction, training staff visits and secondments)

Children in difficult circumstances

For children for whom there is an immediate apparent threat to life or an emergency situation

Please See Appendix 2

2. Policy

This section sets out the responsibilities of the various entities within AFV vis-à-vis the children that we work with.

Responsibilities of AFV

The role and duty of AFV and partner staff in Child Protection

AFV staff and partners, by the nature of their work, interact with vulnerable communities and children and will therefore be aware of sensitive information concerning children. This information may be called upon as evidence in child protection investigations or to inform decision-making. AFV and partner staff may become aware of infringements of Rights, or, allegations of infringements, or, stories of infringements. Sometimes circumstances and intuition will leave the worker suspecting an infringement of rights.

- Concerns must be reported immediately to the staff line manager who in turn will report to the Executive Director of AFV or Representatives of partners.
- Whenever a staff member of AFV has concerns of abuse or exploitation, detailed notes of circumstances and dialogue must be included in records and kept confidential. These records may be used as evidence to save a child from abuse and exploitation.
- Concerns that are evidenced by impairment of health, physical injury, sexual exploitation, criminal activity or threats must be reported immediately to statutory child protection agencies or equivalent authorities.
- Any knowledge regarding partner/staff prior record of children based activities which are questionable should be raised with the line manager

The role and duty of Line Managers in Child Protection

- To report and record any incident of concern about child protection to the appropriate child protection agency.
- Ensure staff are aware of, and provide induction to, as well as have access to Child and Human Rights documents
- Ensure that staff are aware of procedures for reporting concerns and their responsibilities in reporting
- Ensure community and children are aware of, and have easy access to reporting authorities and procedures for reporting concerns and complaints.
- Develop working partnerships with community leaders and professionals with responsibility for child welfare and protection.
- Ensure parental or guardian consent is sought for any activity with a child and encourage parental participation in all activities involving children.
- Ensure parental or guardian consent is sought before taking any images or footage of children. Ensure that the parent or guardian understands the purpose of this activity and how the images or footage will be used.
- Plan and organize the work and the workplace so as to eliminate risks to children
- Be aware of situations which may present risks and ensure these are supervised appropriately
- Be involved and available to the community in all work with children
- Ensure that staff are accountable for the welfare of children during AFV activities
- Ensure that a culture of openness exists amongst staff to enable any issues or concerns to be raised and discussed

- Ensure that poor practice or potentially abusive behavior by AFV or partner staff does not go unchallenged
- Empower children – discuss with them their rights, what is acceptable and unacceptable, and what they can do if there is a problem

The role and duty of Executive Director/ Representatives in Child Protection

- Be aware of the local law applying to child protection and the agencies responsible. Ensure that all staff is aware of these
- To nominate a staff member who would act as a focal point for raising awareness of the Child Protection Policy among staff and partners
- Create procedures for reporting of and investigating suspected cases of abuse and exploitation
- Disciplinary procedures will be implemented for staff members found to have violated the Child Protection Policy
- Ensure all staff are trained on how to recognize child abuse and exploitation and taking appropriate action

The role and duty of Human Resources/ Organization Development department in Child Protection

- Ensure this Child Protection policy is included in the offer letter to all new employees and all AFV Board members. As part of the acceptance procedure, employees will be asked to sign a declaration of the policy stating that they are aware of its existence and will abide/adhere to it. The declaration will be kept on the staff members file and may be referred to in legal proceedings if a staff member is found to be in breach of the policy.
- Roles and responsibilities regarding child protection to be incorporated into job descriptions
- Ask pertinent questions when requesting references for new member of staff, particularly with regard to any dealings and work with children prior to joining AFV

AFV and partner staff must never act or make a decision alone where child abuse or exploitation is suspected. Child Protection is a State and Society responsibility. Decisions are made collectively or by those empowered to make specific decisions.

Responsibilities towards Children

a) Working with children to raise funds

- AFV staff shall take adequate time to explain to the child meaning and purpose of any marketing activities in a manner that will facilitate self-confidence of the child's contribution to development in his/her community.
- Staff shall take time to explain to a child when their sponsor stops or withdraws out of the sponsorship programme or move on to other funding and marketing products.
- All staff involved in child sponsorship activities (i.e. message collection, photo taking, etc) shall endeavor to make it a positive experience for the child with a potential for learning and enjoyment.
- All staff shall ensure that all children get a form of correspondence (e.g. a greeting card) annually whether linked or still on the waiting list to be linked to avoid discrimination
- The staff and partners will ensure meaningful participation of children in planning, implementation of projects / programmes accruing from funds collected through sponsorship for the benefits of community.
- It will be the responsibility of the AFV Partnership staff to explain to the community and

children on how funds raised trickle down to community and benefit children

- The staff will be expected to judiciously and professionally manage the expectation of the community's desire for development with funds received
- Supporters and donors will be required to go through a background check should they wish to visit a sponsored child in AFV's LRPs. The cost of this will be borne by the supporter

b) Working with Children under Difficult Circumstances

See Appendix 2

3. Implications of Non-Compliance

Any staff member found to be engaged in the following acts will be summarily dismissed:

- Inducing or coercing a child to engage in any sexual activity
- Any commercially exploitative activities with the children including child labor or trafficking
- Use of children's photographs for pornographic or other inappropriate use
- Subjecting any child to torture or other cruel, inhuman or degrading treatment or punishment
- Mistreating or depriving the child in any way including on the basis of the child's refusal to write a letter to a sponsor or to have his/her photograph taken

Any donor/sponsor found to be engaged, or suspected of being engaged in the above acts will be reported to the relevant authorities in their country of residence. Their names will be removed from the supporter/marketing database. In addition if the supporter is a child sponsor or has had direct involvement with AFV, AFV will also be notified in the event that they make attempts to contact them direct.

4. Implementation

Induction of staff working directly with children

At the beginning of each project, during induction of new staff and on a continuous basis, all staff will consider and be informed of their responsibilities to individuals and communities in ensuring Human Rights and Children's Rights are actively upheld. Staff should be aware how the Convention applies to their work, society and how the Rights are enforced.

- To equip staff with the necessary skills in working with children, AFV shall commit itself to continuously build staff capacity to ensure that children are protected against all form of exploitation and abuses
- AFV will report any offences against children to child protection agencies as shall be defined by the domestic or country level laws and policies.
- The best interest of the child shall be the primary consideration when addressing issues of infringements on the right of any child
- Decisions resulting from an investigation shall be made by statutory protection agencies in partnership with parents or legally recognized guardians.
- Where infringement of Rights has led to child abuse or exploitation the Police or Judiciary may decide to investigate criminal acts. In countries, which are party to the Convention on the Rights of the Child, the investigation must uphold those Rights.

Training for Staff

Appropriate and adequate training and refresher courses must be planned and implemented for staff and partners working with children and those supervising them in the following areas:

- Laws relating to child labor, abuse, exploitation and trafficking
- Various government authorities and bodies working in this area
- Recognizing abuse
- Procedures on how to report abuse

General Guidelines for activities with children

In general it is *inappropriate* for staff and partners to:

- Spend unnecessary time alone with children
- Take children to home of staff, particularly if they will be alone with staff unless they are acting to protect the children
- Inappropriately use children to solicit support, financial or otherwise
- Promote any form of child labor – exploitative or otherwise

Staff and partners must *never*

- Hit or otherwise physically assault or physically abuse children
- Develop physical/sexual relationships with children
- Develop any form of relationship with children which could in any way be deemed exploitative or abusive
- Act in ways that may be abusive
- Place a child at risk of abuse or exploitation, be aware of these and not do anything about it
- Exploit their own position vis-à-vis the children by making them run errands, do domestic work or carry out other forms of economic exploitation

Staff and others *must avoid* actions or behaviors 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 to children.
- Have a child/children with whom they are working to stay overnight at their home without others being present
- Sleep in the same room or bed as a child with whom they are working
- Do things for children of a personal nature they can do for themselves (e.g. write letters on behalf of children)
- Condone or participate in conduct which is illegal, abusive or unsafe for children
- Act in ways intended to shame, humiliate or degrade children, or otherwise perpetrate any form of emotional abuse
- Discriminate against, show differential treatment, or favor particular children to the exclusion of others. (e.g. recruitment for fundraising activities, selective award of gifts, selective implementation of children programs etc.)

5. Appendix

Appendix 1

Forms of Child Abuse and Exploitation and How to Recognise them

These shall be defined as any physical, emotional or sexual harm committed against a child. These need to be examined in the light of the culture of the community to prevent alienation of the community from AFV staff and programs.

There are four main categories of abuse or exploitation to be aware of:

Emotional:

This is persistent and psychological ill treatment, which results in a severe impact upon a child's behavior and development. It will involve a denial of normal respect and may take the form of persistent personal criticism, humiliation or discrimination in the absence of any positive interest or concern. This can happen in situations when children are subject to a persistent level discrimination due to being unaccompanied, selective giving of gifts, selective recruitment (as in the case of selecting children for fundraising purposes), low status, gender, religion, ethnic background and/or bullying as a result of the unrealistic expectations of others.

Physical:

This can include any direct acts of physical injury upon a child or young person which are not the result of an accident. This can also include tasks and errands, which clearly exceed the capacity of the child to manage safely.

Sexual:

This includes all forms of sexual acts perpetrated upon a child by another person and includes sexual abuse and sexual harassment. This issue is more complex when it occurs between older children of similar age groups. The essential issue is one of exploitation, which is considered to have occurred if an adult perpetrated the activity on a child and/or involved a misuse of power, services, age or authority, or the use of physical force or emotional manipulation by children of the opposite sex from a peer group. This can also include exposure or failure to prevent the exposure of children to all forms of pornography and sexual acts.

Neglect:

This relates to the persistent failure to prevent the exposure of a child to danger, or the extreme failure to carry out important aspects of care, medical or physical which results in the significant impairment of the child's health or development. This can occur when a worker fails to adequately supervise the safety of children or exposes any child to extreme conditions or preventable risk of serious injury. Violation of child labor laws also needs to be considered.

How to Recognize Abuse or Exploitation

Listed below are a number of indicators; however they may vary by cultural and economic context. This is not exhaustive but is a guideline to help establish whether some form of child abuse or exploitation has taken place. These guidelines are published by the Churches' Child Protection Advisory Service (CCPAS).

Emotional signs of Abuse (to be looked at in comparison to behavior based on the culture of the

community)

- Changes or regression in mood or behavior, particularly where a child withdraws or becomes clinging. Also depression/aggression/extreme anxiety
- Nervousness, frozen watchfulness
- Obsessions or phobias
- Sudden under achievement or lack of concentration
- Inappropriate relationships with peers and/or adults
- Attention-seeking behavior
- Persistent tiredness
- Running away/stealing/lying

Indicators of possible Physical Abuse

- Any injuries not consistent with the explanation given to them
- Injuries which occur to the body in places which are not normally exposed to falls, rough games etc.
- Injuries which have not received medical attention
- Reluctance to change for, or participate in, games or swimming
- Repeated urinary infections or unexplained tummy pains
- Bruises, bites, burns, fractures etc. which do not have a reasonable explanation
- Cuts/scratches/substance abuse
- Infections and/or symptoms of sexually transmitted diseases

Indicators of possible Sexual Abuse

- Any allegations made by a child concerning child abuse
- Child with excessive preoccupation with sexual matters and detailed knowledge of adult sexual behavior, or who regularly engages in age-inappropriate sexual play
- Sexual activity through words, play or drawing
- Child who is sexually provocative or seductive with adults
- Inappropriate bed sharing arrangements at home
- Severe sleep disturbance, with fears, phobias, vivid dreams or nightmares, sometimes with overt or veiled sexual connotations

Indicators of possible Neglect (as poverty is often the cause of the following points, we need to look at it contextually and in comparison to the community average)

- Under nourishment and failure to grow
- Constant hunger, stealing or gorging food
- Untreated illnesses
- Inadequate care

Appendix 2

Children in Difficult Circumstances

1. Children in Danger

- Where there is an immediate threat to a child's life or it is in the best interest of the child,

staff may intervene as long she/he shall not endanger his or her own life or that of the child's.

- The child so removed shall be placed in place of safety e.g. a known community leader, a trusted agency or a child protection agency and report the incident immediately to the nearest child protection agency, Police, Health or Social Welfare.
- Staff is encouraged to engage a trusted community member as a witness of any actions and intentions.
- Staff will be encouraged to strive to make good judgment to maintain the respect of the community.
- In emergency situations rights may be infringed by social circumstance such as poverty, social pressures and practices. If this is the case then community leaders should be consulted regarding standards they would like to achieve. Recording the facts and problems and community-suggested solutions will empower the community to take a rights-led approach to problems.

2. Children in emergencies/ disasters/armed conflict

- In cases of emergencies, staff shall be required, wherever possible, to summon precautionary and preventive measures to avoid a situation that would expose children to danger.
- In situations of armed conflict, staff must as much as possible; undertake evacuation for all children and women as a first measure to mitigate the effects of conflict.
- Staff shall exercise impartiality in protecting children regardless of which side they fall among warring communities.
- In camps (in Internally Displaced Placement camps for example), AFV staff shall be required to develop programs that would ensure that children's emotional, social and physical needs are met and that their lives, as much as possible, continue to be normal.
- AFV and partners shall be committed to rehabilitation of all children after exposure to abuse, emergencies, armed conflict and other traumatic situations.
- In areas prone to armed conflict, deliberate and conscious efforts and programs should be put in place to prevent children's recruitment as child soldiers. This shall be a key responsibility of staff working in such areas

3. Children with special needs

- Particular attention shall be made not to discriminate against children with special needs, such as the disabled (physical and mentally impaired), orphaned and vulnerable children, while initiating sponsorship or community development programme.
- AFV staff shall make it their responsibility to ensure that children with disabilities are not discriminated against in the sponsorship recruitment exercise
- Staff shall take appropriate steps to ensure equal opportunity for participation of children with disabilities in matters pertaining to their rights and protection from abuse and exploitation
- Staff shall ensure that community and other children do not stigmatize or discriminate against children with special needs
- Staff shall be required to exercise caution and sensitivity in handling information about children with special needs and shall ensure that information collected is not used to solicit sympathy, rather encouragement and support are provided to deal with the challenges facing the child.

4. Minority and indigenous children

- Staff are encouraged to be sensitive and respect the cultural identity of minority children in communities where we work

5. Internally displaced children

- Staff must ensure that early interventions must be put in place to check the risk of children who may never find their families
- Staff should identify children who are separated from their families as early as possible to increase the chances for successful reunification
- Staff to work closely with government welfare departments to provide appropriate follow up services
- Staff shall ensure that children are moved out of harm's way – sexual exploitation, child labor, recruitment as soldiers or sex slaves, messengers and gender-based violence. A deliberate effort shall be made to create a conducive environment for the prevention of abuse and exploitation
- Staff shall endeavor to provide support to children to ensure their physical, social and emotional needs are satisfactorily met.
- Staff to develop programs that would ensure that children continue with their normal life i.e. education, health and dignified conditions of life. These must be recognized and upheld, specifically through the delivery of assistance in a sustainable and appropriate manner. Children shall be protected from denial of quality basic education and health care.

In handling internally displaced children, it is important to consider the following principles:

1. Choice of return: No child should be obliged to go back home, when he/she has founded fears of their security
2. Priority in safeguarding life and dignity: Child survival should be given priority and needed resources should be mobilized to save life and secure human dignity.
3. Parental responsibility: Due regard should be given to ensure children are not separated from their parents and/or families. The place of the family must be upheld, unless it poses danger to the child.
4. The role of the state and state authorities should be underscored. It is the responsibility of government to safeguard the rights of internally displaced children.
5. Gender: In all actions, the protection of children should be ensured that they are safe with their parents, guardians and service providers. Care should be taken that children are not left in the single care of adults of the opposite sex, especially girls. This does not apply to natural and adoptive parents in normal circumstances.
6. The right of displaced children to their identity should be safeguarded. Children should not be forced to change their names, religion or traditions.

Signed:.....

Date:.....