

GLOBAL PEOPLE MANAGEMENT FRAMEWORK

| Child Protection | | |
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Global Policy Commitments

1. Introduction and Policy Aims

WaterAid believes that safe water and sanitation are basic human rights to which everyone in the world should have access.

WaterAid also recognises that children have a right to be protected from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse as enshrined in Article 19 of the United Nations Convention on the Rights of the Child (UNCRC).

This policy aims to reduce risks of child abuse and ensure WaterAid representatives understand issues of child protection and are aware of the problem of child abuse.

This policy and procedure has been written to recognise and provide guidance and direction on the responsibility that WaterAid has to the children with whom its staff, volunteers, consultants, partners and supporters come into contact.

Furthermore this policy and procedure aims to minimise organisational risks and ensure WaterAid's duty of care is covered through implementing procedures in recruitment, placement and management that are designed to safe guard children through good practice

The WaterAid Child Protection procedure also sets clear reporting requirements.

2. Global Policy Commitments

- 2.1. This is a global policy and applies to all countries where WaterAid works. Countries should determine specific national legislation or practice that should be included in their procedure, however these policy commitments are to be applied across WaterAid.
- 2.2. The policy covers all WaterAid representatives which includes:
 - WaterAid staff (those employed and paid by WaterAid).
 - WaterAid volunteers (an unpaid worker).
 - Consultants (those engaged by WaterAid on a contract for service rather than an employment contract)
 - Supporters and other participants on field visits organised by WaterAid.
- 2.3. WaterAid recognises that in line with our mission to work with the poorest people, that the most excluded groups of children may be the most likely to suffer from abuse and be the least likely to speak up. This policy therefore protects the rights of all children, including those who are disabled, from minority ethnic / faith groups and regardless of gender, sexuality or status.
- 2.4. WaterAid adopts the UNCRC definition of a child as anyone under the age of 18.

2.5. Child abuse is defined as¹:

- **Physical abuse**

This is when a child is hurt or injured by a child or an adult. Physical abuse includes hitting, kicking, punching and other ways of inflicting pain or injury such as burning, poisoning, drowning or smothering. It also includes giving a child harmful drugs or alcohol.

- **Emotional abuse**

This is when adults deny children love or affection, or constantly threaten or humiliate them. Sarcasm, degrading punishments and ignoring a child are also forms of emotional abuse and undermine a child's confidence and sense of self-worth.

- **Neglect**

This is when a child's basic need for love, food, warmth, safety, education and medical attention is not met by parents or carers.

- **Sexual abuse**

This is when a child is used sexually by an adult or young person. Sexual abuse can include kissing, touching the child's genitals or breasts, vaginal or anal intercourse and oral sex. Encouraging a child to look at pornographic magazines or videos is also sexual abuse.

- Bullying, racism and other types of discrimination are forms of child abuse. Like other kinds of abuse they can harm a child physically and emotionally

- **Exploitation:** Exploitation refers to the abuse of children and their rights in circumstances such as:

- being forced into unacceptable forms of labour;
- being forced to participate in acts of violence and war;
- trafficking of children;
- children participating in pornography (including the production of pornographic material, e.g. videos, photographs etc) and prostitution for the financial gain or personal gain of their abuser.

2.6. WaterAid prohibits sexual activity with children (defined as any person under the age of 18). Whilst it acknowledges that the countries within which it operates have differing legal ages of consent it does not differentiate in this policy (unless the national age of consent is higher). WaterAid representatives are in a position of power and authority and this commitment aims to reduce the likelihood of this being misused or misconstrued. Mistaken belief in the age of the child is not an acceptable excuse.

2.7. The employment of children under the age of 18 will be in line with national legislation.

2.8. Each Country will designate a responsible officer for Child Protection, who may also be responsible for wider equity and inclusion issues.

¹ Adapted from the UK's National Society for the Prevention of Cruelty to Children (NSPCC) http://www.nspcc.org.uk/helpandadvice/whoturnto/nspcchelpline/adviceonthissite/whatischildabuse_wda33292.html. Accessed on the 27 February 2008.

- 2.9. WaterAid maintains the principle that the rights of the child and their protection are paramount. All WaterAid representatives have a duty to protect children and to report any allegations of abuse using the reporting procedure operating in the Country. Requirements to report to statutory or other bodies should be identified from each country.
- 2.10. Recruitment procedures will be introduced to minimise the risk of the retaining people who are likely to pose a threat to children. Where appropriate, and in line with national legislation, criminal records / police checks will be carried out on staff who work with children.
- 2.11. WaterAid will ensure that WaterAid Representatives are aware of child protection requirements and the risks to children. All WaterAid representatives will receive information relating to WaterAid's Child protection Policy during induction and briefings. It will provide child protection training for relevant personnel.
- 2.12. This policy will be reviewed every three years or earlier if warranted.
- 2.13. These policy commitments and accompanying procedures toolkit have been developed using the 'Keeping Children Safe' standards as a guide.²
- 2.14. Child Protection will form part of the WaterAid Code of Conduct.

² 'Keeping Children Safe' are standards for child protection developed by a coalition of aid and development agencies and the NSPCC. <http://www.keepingchildrensafe.org.uk/>

Good Practice Toolkit: Child Protection Procedures

This document contains the key elements of a procedure to protect children. Countries should use it as a template to develop their own procedures taking into account national legislation, institutions and practice.

The Global Policy Commitments are non-negotiable and should be included in national procedures.

1 Aim of procedure

- This policy and procedure aims to provide guidance and direction to all WaterAid representatives so that:
 - The rights of children are protected and enhanced through programmes and projects;
 - WaterAid staff and representatives understand issues of child protection; are aware of the problem of child abuse and strive to avoid occurrences of child abuse in their work;
 - Organisational risks and duty of care are covered through implementing procedures in recruitment and management designed to safeguard children through good practice.
 - There are clear guidelines on reporting suspected child abuse.

2 Responsible officer

- A member of the Senior Management Team should be identified in each country to lead on Child Protection matters and other equity and inclusion issues. A deputy should be identified to cover for any absences.
- In the event of an allegation involving the responsible officer any referral should be made to their line manager.
- The role of this person is to:
 - Champion child protection considerations.
 - Act as a focal point to receive information.
 - Identify national statutory requirements as well as map the broader child protection environment. (see “Checklist for gathering local information” in additional resources section).
 - Build links to other agencies.
 - Make a prompt response in asking for more information as appropriate (this should happen within 24 hours of any report).
 - Seek guidance from senior managers or other internal professional advisors (for example Human Resources).
 - Consult with others (for example local child protection agencies, law enforcement bodies and community leaders).
 - Make a formal referral to child protection / police if systems exist.
 - Assess risk.
 - Ensure that all information is recorded.

- Treat all referrals as confidential and only disclose information when appropriate or required.
- **It is not their role to decide whether a child has been abused.**

3 Responsibility to report

- All representatives of WaterAid should be alert to signs that may suggest a child or young person is in need of help. *[See Additional Resources section for further advice, including guidance on 'What to do if someone tells you they have been abused']*.
- It should be recognised that deciding whether to report an issue can be a very difficult responsibility. It is important that any member of staff who discovers or suspects abusive practices refers this immediately through the procedure, to prevent further potential for abuse
- A template formal reporting form is attached *[See Additional Resources]*.
- Country Programmes should identify any statutory requirements for reporting to government or other bodies (e.g. law enforcement, social services). Issues that breach the local criminal code must be reported.
- It would also be good practice for Country Programmes to build links with non-governmental agencies with a child protection remit to provide support and guidance on any issues identified.
- Where someone reporting an allegation of abuse feels that it is being ignored then the Reporting Serious Malpractice policy should be used.

3.1 Reporting procedure – allegation involving a member of staff, volunteer or consultant

- Where an allegation involves a representative of WaterAid this should be brought to the attention of their line manager immediately. Where an allegation is about the line manager of the person raising the issue or the responsible officer then it would be appropriate to report the allegation to next level of supervision.
- The line manager should inform the responsible officer within the Country.
- For members of staff the procedure should link into disciplinary procedures and advice should be sought from appropriate advisors (e.g. Human Resources).
- The responsible officer should advise whether any statutory reporting is required.
- If a child is in immediate danger then the police, social services or other child protection agency should be alerted.

3.2 Reporting procedure – allegation involving someone external to the organisation (partner, family member).

- WaterAid is not a child protection agency and does not have the expertise to investigate or deal with allegations of abuse.

- The responsibility of WaterAid is to take action to ensure the safety of the child by passing relevant information to the appropriate authorities or agencies. It may be appropriate for this to be done through the responsible officer.
- If the allegation involves a partner then an appropriate manager within the partner organisation should be informed.

4 Confidentiality

- It is important that as much confidentiality as possible is maintained in the investigation of any allegation and that information is only shared with appropriate people.
- However, confidentiality should not be promised as this cannot be guaranteed. For example, there may be requirements to report to statutory bodies.

5 Partners

- Partner organisations play an important part in WaterAid's commitment to keeping children safe.
- WaterAid will encourage partners to adopt appropriate child protection standards into their work.
- It may be appropriate to incorporate a clause into partner agreements. This could include a requirement to abide by the WaterAid policy or develop their own.

6 Preventative measures

6.1 Recruitment, selection and employment.

- WaterAid recognises that appropriate and stringent recruitment procedures can prevent people who may pose a risk to children from gaining employment and thus minimise the risks of child abuse being committed by a member of staff, volunteer or consultant. Occasionally, a small minority of individuals will target organisations and will look to those with weak or inconsistently applied systems.
- The following should be reflected in Recruitment and Selection Procedures.
 - A clear person specification for the role (staff, volunteer or consultant), which is properly assessed during selection.
 - 2 references for all employees and volunteers, including their most recent employer (or school), to include the reason for leaving. Personal references should be avoided as they may not provide accurate information on either an applicant's capability or background.
 - Gaps in employment / education history should be explored at interview.
 - Confirmation of identity.
- Consultants should have the following checks:
 - Confirmation of identity.
 - Confirmation of employment / work history.

- References from previous clients.
- A criminal record / police check is generally only necessary when a post requires unsupervised access to children as part of its normal duties. Therefore, wherever possible roles should be designed so they do not require this access. If this is unavoidable, which should be rare in the WaterAid context, the following measures should be considered, in line with appropriate national legislation:
 - Asking for declaration of previous convictions in application processes (both spent and unspent).
 - Checking criminal records / police records.
 - Asking specific questions on child protection at interview.
 - Where appropriate job descriptions should include the requirement to conduct police checks and other screening procedures to ensure a child-safe environment.
 - Checking of appropriate professional registers.
- It should be made clear that a breach of the policy is a disciplinary offence which could lead to dismissal (for employees) or breach of contract (for consultants). Depending on the national context specific inclusion into contracts of employment could be considered.
- Any work experience schemes for children must consider child protection as integral. A risk assessment of both general health and safety issues as well as specific child protection concerns should be undertaken. Control measures should include supervision by at least 2 members of staff at any time or police checks to be undertaken where this is not possible. Children should also be made aware of who to discuss any concerns with.

6.2 Information Technology

- Technological development has increased the possibilities for communication, including with children. Programmes need to assess the different methods that children may communicate with staff or other WaterAid representatives and decide what guidance they need to issue to prevent possible abuse.
 - Programmes should have in place a policy on the use of the internet and email and be aware of the online exploitation of children. Email, instant messaging and social network sites all provide opportunities for inappropriate contact with children to be developed. Further guidance and sources of information can be found in the Additional Resources section.

6.3 Recording and use of images

- Images of children should be used subject to strict guidelines in line with WaterAid Ethical Photography policy.
- Photographers and film makers should not be allowed to spend time with, or have access to children, without supervision.

6.4 Risk Assessments and Programme design

- Where staff or other WaterAid representatives are likely to come into contact with children during any project or activity, this should be included in any risk assessment and appropriate control measures put in place to reduce the risk, particularly by designing the activity to remove unsupervised contact with children.
- Consideration should be made to keeping children safe within programme / project design.
- This should extend to the health and safety of children working on WaterAid projects. As a minimum WaterAid and its partners should comply with national legislation on employing children.

6.5 Fundraising

- WaterAid representatives can come into contact with children in a variety of fundraising contexts, including:
 - Volunteer speakers in schools
 - At events
 - Children undertaking fundraising activities
 - Supporter visits (children as supporters and children as beneficiaries)
- The following must be taken into consideration:
 - Child protection should be included within risk assessments as part of the planning process for all activities involving children, including supporter visits to schools, communities etc.
 - There should be no unsupervised access to children (i.e. a parent, another member of staff, a teacher etc must also be present).
 - Children's personal data (particularly contact details) should be held securely (e.g. password protected or locked filing cabinet) and only accessed by authorised staff.
 - Children undertaking Fundraising activities should be advised on how to do so safely, both for child protection and more general health and safety (see http://wateraid.org/splash_out/fundraising/4811.asp). Parents / guardians / organisers should be briefed and take responsibility for the child engaging in the activity.
 - Fundraising in schools should be undertaken in accordance with appropriate guidance from professional bodies.

6.6 Code of Conduct

- All staff, volunteers, consultants and participants are required to sign the WaterAid Code of Conduct which includes Child Protection (currently under development).

ADDITIONAL RESOURCES

This section contains sources of additional information. They do not form part of the policy commitments and are not compulsory, but should be seen as resources to help implement the policy and procedures.

Sample Reporting Form

| CHILD PROTECTION: REPORTING FORM | |
|---|----------|
| <p>The information in this form is confidential. It should be used to report concerns in accordance with WaterAid's Child Protection policy. In the first instance it should only be sent to the responsible officer. It will be held in a safe and secure place in accordance with Data Protection requirements.</p> <p>Please try to fill in as much of the form as possible, but leave blank those areas for which you have no knowledge. If you are raising a general concern about behaviour that you have observed then please make this clear.</p> | |
| Part One: About the complainant (if different from the child) | |
| Complainant name | |
| Complainants relationship to the child | |
| Part Two: About the child | |
| Child / young persons name | |
| Is the child male or female? | |
| Child / young person's address | |
| Who does the child live with? | |
| Child / young persons date of birth / age | |
| Has the child given consent to the completion of this form? | Yes / No |
| Part 3: About the concern | |
| <p>How did you come to have a concern?</p> <ul style="list-style-type: none"> Was abuse observed or suspected? Was an allegation of abuse made? Did a child disclose abuse? | |

| |
|--|
| <p>Date(s), time(s) and location(s) of any incident(s):</p> |
| <p>Nature of concern / allegations</p> |
| <p>Observations made by you (e.g. description of visible bruising, other injuries, child / young persons emotional state etc). <i>NB: Make a clear distinction between what is fact and observed by you and what is hearsay</i></p> |
| <p>Exactly what the child / young person has said and what you have said: <i>N.B. Record the actual details of what the child says – do not lead them</i></p> |
| <p>Any other information: <i>For example: Is the child disabled? Do they have communication problems or learning disabilities?</i></p> |

| | |
|--|--|
| Witnesses: <i>Names and contact information</i> | |
| | |
| Were any other children involved? | |
| | |
| About the alleged perpetrator: <i>If appropriate record as much detail as possible about the alleged perpetrator, including name, job title, organisation, address, age, sex and physical description.</i> | |
| | |
| External agencies contacted (if any) – date and time of contact and advice received: | |
| | |
| Action taken: <i>Include any immediate security measures</i> | |
| | |
| Part 4: Report completed by | |
| Name | |
| Position / Organisation | |
| Signed | |
| Time and Date | |

Guidance on recording information

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

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

Optional checklist to help gather local information
(Taken from Keeping Children Safe Coalition)

Legal resources

- Details of any government bodies or agencies with statutory authority for the protection of children.
- Summary of legislation governing welfare/protection of children.
- Identify international conventions to which the country is a signatory or has ratified (e.g. UN Convention on Rights of the Child).
- Brief analysis of implementation/enforcement of legislation as far as this is known.

Criminal Investigation/Prosecution – Police and Judiciary

- Local police position on investigation of criminal assault against children and likelihood of prosecution of such offences.
- Legal age of consent in country and legislation covering this.

Other Agencies – Health Services, NGOs, Inter-agency Forums

- Details of health and other services that may be accessed as part of victim response.
- Details of NGO's, other agencies, other relevant bodies and professional networks, including any local joint arrangements for dealing with child protection issues, HIV, women's centres / refuges or safe housing.

The following information may also be of use:

Community

- Details of informal/community based justice and protection mechanisms and how these function.
 - Identify and establish contact with locally-based NGOs / INGOs and other organisations working on child protection / rights or aid programmes that affect children.
 - Gather information about community resources such as local advocacy groups, community and faith groups, or organised children's activities which could support the child protection work.
 - Establish contact with any academic institutions working on children's rights.
 - Identify and document harmful traditional practices such as early marriage, initiation ceremonies and female circumcision.
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What to do if someone tells you they have been abused

The guiding principle in responding to any concerns around child protection is that the safety and welfare of the child should always come first. No child should be put at more risk by any action that you take.

If a young person informs you that they are concerned about someone's behaviour to them or makes a direct allegation – you should:

- React calmly
 - Reassure them that they were right to tell but do not promise confidentiality
 - Take what they say seriously, even if it involves someone you feel sure would not harm them. It is known from experience that we must listen to what we are told even if it is difficult to believe.
 - Avoid leading questions (say “Then what happened”, don’t say “Did he touch your leg?”). Try to get a clear understanding of what the person is saying to you.
 - Ensure the safety of the child or young person. If they need urgent medical attention make sure doctors or hospital staff know this is a child protection issue.
 - Only contact parents and carers once you have advice and guidance from the responsible officer or external agencies.
-

Help to recognise signs of abuse

http://www.nspcc.org.uk/helpandadvice/whatchildabuse/physicalabuse/physicalabuse_wda33606.html

http://www.nspcc.org.uk/helpandadvice/whatchildabuse/sexualabuse/sexualabuse_wda36370.html

http://www.nspcc.org.uk/helpandadvice/whatchildabuse/neglect/neglect_wda36377.html

http://www.nspcc.org.uk/helpandadvice/whatchildabuse/emotionalAbuse/emotionalabuse_wda36358.html

http://www.nspcc.org.uk/helpandadvice/whatchildabuse/domesticviolence/domestic%20violence_wda33622.html

Online exploitation

Internet Watch Foundation www.iwf.org.uk

Virtual Global Taskforce www.virtualglobaltaskforce.com

Child Exploitation and Online Protection www.ceop.gov.uk

Some Do's and Don'ts.

Do:

- Conduct yourself in a manner consistent with your position as a positive role model to children, and as a representative of WaterAid.
- Follow organisational policy and guidelines around the safety of children as outlined in the Child Protection Policy.
- Plan and organise the work and the workplace so as to manage and minimise risks.
- Treat all young people with respect and take notice of their reactions to your tone of voice and manner.
- Raise any concerns, issues, problems with your manager or designated WaterAid staff member as soon as possible.
- Make sure all allegations or suspicions of abuse are recorded and acted upon.
- 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 there is a problem.
- Remember that someone else may misinterpret your actions, no matter how well intentioned.

Don't:

- Smack or hit children to cause physical injury, nor engage in rough physical games including horseplay.
 - Hold, kiss, cuddle or touch children in an inappropriate and/or culturally insensitive way.
 - Spend time alone with a child – always ensure another adult is present.
 - Sleep in the same room or bed as a child unless you are a parent, family or guardian.
 - Develop sexual relationships with children and make sexually suggestive comments to a child, even as a joke.
 - Do things of a personal nature that a child can do for themselves, such as going to the toilet or changing clothes unless you are a parent, family member or guardian.
 - Encourage meetings with children that are not related to you outside the program activity.
 - Take children alone in a car, even for short journeys, unless this is unavoidable for safety reasons. If it is unavoidable, make sure that someone else knows what is happening.
 - Get drawn into inappropriate attention-seeking behaviour such as tantrums or crushes.
 - Trivialise or exaggerate child abuse issues.
 - Believe it could never happen to you.
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Other relevant WaterAid information

Ethical Photography policy

Fundraising

Tips on how to stay safe while fundraising for children

http://www.wateraid.org/splash_out/fundraising/4811.asp

<http://www.institute-of-fundraising.org.uk/NR/rdonlyres/07C71E83-69F7-4491-9852-E17E652B0B9C/0/FundraisinginSchools.pdf>

Other information

Country Programmes are encouraged to submit other sources of information that may be useful to colleagues.