



Welthungerhilfe
Child Protection Policy
(September 2014)

WHAT IS CHILD ABUSE ?



Verbally abusing a child



Teasing a child unnecessarily



Exposing a child to pornographic acts or literature.



Touching a child where he/ she doesn't want to be touched.



Forcing a child to touch you.



Breaking down the self-confidence of a child.



Hitting or hurting a child - often to relieve your own frustration.



Manipulating a child



Not taking care of a child, for example: unclean, unclothed, unfed child



Using a child as a servant



Not listening to a child



Neglecting emotional needs of a child



Making your own child a 'servant' depriving of time for education/leisure



Hitting and ridiculing a child at school



Neglecting a child's medical needs



Neglecting a child's educational needs



Leaving a child without supervision



Produced by: National Child Protection Authority
No: 330, Thalawathugoda Rd, Madiwela.

(Tel: 778911-13, Fax: 778915, Email: ncpa@diamond.lanka.net)

Compiled by: Prof. Harendra de Silva

Illustrations by: Jayamini de Silva

Graphic layout Sponsored by: Thorn Holdings (Pvt) Ltd.

1. Introduction and Purpose of the Policy

As an international development organization, Welthungerhilfe is committed to the well-being of children and her child-centered activities are based on principles of the UN Convention on the Rights of the Child 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

Welthungerhilfe is aware that the goods and services provided through its relief and development programmes, especially in emergency and fragile contexts, can create a power imbalance between those who are employed or engaged by Welthungerhilfe and other programme participants. Welthungerhilfe acknowledges that there is potential for this power imbalance to be exploited by staff to acquire bribes, payments, gifts and/or sexual favours. Welthungerhilfe is aware of the fact that the children in the communities it works with or comes into contact with are a particularly vulnerable group.

Welthungerhilfe does not tolerate any form of child abuse or exploitation.

This policy has been developed to ensure the maximum protection of children and youth from abuse and exploitation. It ensures that Welthungerhilfe has procedures in place to prevent and deal with child abuse, child exploitation and policy non-compliance.

Welthungerhilfe is signatory to the Humanitarian Accountability Partnership (HAP). The Child Protection Policy is an integral part of its Accountability Framework.

2. Applications and Definitions

2.1 Definition of a child

A child is any person under the age of 18 years as laid down by the UN Convention on the Rights of the Child.

2.2 Forms of child abuse or exploitation

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

Physical Abuse

Physical abuse occurs when a person purposefully injures or threatens to injure a child or young person. This may take the form of slapping, punching, shaking, kicking, burning, shoving or grabbing. The injury may take the form of bruises, cuts, burns or fractures. It can also include tasks and errands which clearly exceed the capacity of the child to manage safely.

Child Protection Policy Welthungerhilfe

Emotional Abuse

Emotional abuse is a chronic attack on a child or young person's self-esteem. It can take the form of name calling, threatening, ridiculing, intimidating or isolating the child or young person.

Neglect

Neglect is the failure to provide the child with the basic necessities of life (where such necessities are available), such as food, clothing, shelter and supervision to the extent that the child's health and development are at risk.

Sexual Abuse

Sexual abuse is when a child or young person is used by an older or bigger child, adolescent or adult for his or her own sexual stimulation or gratification, or economic gain.

Child labour

Child labour refers to the employment of children in any work that deprives children of their childhood, interferes with their ability to attend regular school, and that is mentally, physically, socially or morally dangerous and harmful. Legislations across the world prohibit child labour

Military use of children

Where children are engaged in or exposed to military activity, including as soldiers or human shields.

2.3 How Welthungerhilfe interacts with children

- Programmes (i.e. Welthungerhilfe and partners' work on the ground)
- Marketing and Campaigns (using children's images, stories etc. to promote Welthungerhilfe's work for marketing or campaign purposes)
- Supporter visits
- School visits, events with Children

2.4 To whom the policy applies

- all staff
- all contractors, e.g. consultants, suppliers of services or goods
- all volunteers, interns, programme visitors deployed by Welthungerhilfe
- all board members
- all partner organisations

3. Awareness

Welthungerhilfe will ensure that all staff and other bodies mentioned under "2.4 To whom the policy applies" are aware of the problem of child abuse, exploitation and the risks to children.

3.1 Training and Development

All staff and persons mentioned under 2.4 will receive information relating to Welthungerhilfe's Child Protection Policy during the induction process. Further regular training will be provided

Child Protection Policy Welthungerhilfe

at Headquarter or Country Office level, tailored to the needs of the Headquarter or Country Office, of specific areas of responsibility as appropriate.

4. Prevention

4.1 Vigilance in Recruitment and Selection

Welthungerhilfe commits that its staff and other bodies mentioned under “2.4 To whom the policy applies” do not pose any hazard to children - through awareness raising and through personal and professional conduct.

The Human Resources team and Country Offices adhere to strict guidelines in the recruiting process of new staff, consultants, volunteers and interns, including the requirement to disclose any prior offence or charge of child abuse and/or child protection.¹ The recruitment guidelines will be reviewed and updated regularly to ensure that they accurately reflect child safe recruiting and screening standards. The recruitment guidelines will include:

- A clear and bold statement that confirms Welthungerhilfe’s commitment to child protection and the HAP Accountability Framework
- Adopting ‘best practice’ recruitment and selection techniques
- Conducting reference checks²
- For positions deemed to be working *with* children, behaviour based questions will be included in the recruitment interview
- Criminal record checks during recruitment process in line with applicable labour legislation and in line with section 4.2 for positions deemed to be working with children

4.2 Police Checks

All personnel explicitly involved in direct care, oversight education or similar activities for children will be asked to sign an authority for a criminal record check for each country in which the individual has lived for 12 months or longer over the last five years, and for the individual’s country of citizenship, in line with the respective country legislation. In cases where international criminal record checks cannot be completed in time or where a country does not provide criminal record checks with adequate reliability, personnel will be asked to sign a legal document outlining the efforts made to obtain a foreign police check, and disclosing any charges and convictions related to child exploitation and abuse will be used in its place.

Taking into account the legal provisions² referee checks will be used for all positions explicitly involved in direct care, oversight education or similar activities for children.

¹ German labour law limits the possibility of the potential employer to ask German applicants for the criminal record and for preliminary proceedings or a certificate of good conduct (erweitertes Führungszeugnis; see § 30 Abs. 5 BZRG). The request has to be grounded in the nature of the position, involving direct care, oversight, education or similar activities of minors (refer § 30 a Abs.1 Ziff. 2b or 2c BZRG). German law requires that the (potential) employee shall request the issuance with the relevant authority, accompanied by a formal request of the (potential) employer.

² Prerequisite for obtaining references (legal provisions in Germany):

The employer may only edit data about the employees only if they are related to its suitability for employment or required to perform the work contract. Furthermore, the provisions of the Federal Act of 19 June 1992 on data protection applies "(Act. 328b OR). Reference information may therefore be given only with the consent of the person concerned. The Art. 12 and 13 is regulated such that the disclosure of sensitive personal data without the consent (or an overriding private or public interest or legal justification) is a violation of privacy.

4.3 Code of Conduct

All staff, consultants, volunteers and interns, and all persons mentioned in section 2.4 will be expected to sign and adhere to an amended Code of Conduct (see Attachment A – Code of Conduct amended suggestion).

4.4 Informing and Engaging Partner Organisations

Commitment to the protection of children is a mandatory aspect of any Welthungerhilfe partnership. All partners will be informed about Welthungerhilfe's Child Protection Policy.

It is expected that country offices have an ongoing and meaningful dialogue with partners around the issue, and build a shared understanding of child abuse and child protection. Welthungerhilfe expects partners to take adequate measures to maximize protection of child and youth from abuse and exploitation in their own organisations, in particular if they are implementing activities that involve personnel working with children. Welthungerhilfe country offices will encourage such partners to seek assistance by local child protection agencies, or in-country child focused NGOs if deemed necessary.

The preamble of the partnership agreement lays down that Welthungerhilfe will „exclude from co-operation any partner organisations and from employment any persons who are involved in any kind of discrimination, exploitation, wilful fraud, forced labour, deliberate endangering of health, bonded slavery, violence, sexual exploitation and sexual abuse.”

(see Attachment B for full text of Preamble to the Partner Agreement of Allocation)

4.5 Child Protection in Emergencies

Whether internally displaced or a refugee, whether as a result of war, civil unrest or natural disaster, whether in an urban, rural or semi-rural setting, a child's vulnerability to abuse and exploitation during a crisis is very high. Families suffer multiple and severe disruptions: losing their homes and livelihoods, and often also losing their autonomy and dignity when trying to obtain humanitarian relief and protection.

With an uncertain future, repeated emotional stress and only minimal access to education, children are at risk of sexual abuse and exploitation, physical harm, separation from their families, psychosocial distress, gender-based violence, economic exploitation, and recruitment into armed groups and other forms of harm.

In fragile and emergency contexts where children are affected by conflict, displacement and insecurity, organisations must specifically focus child protection policies and programming.

4.6 Use of Child Photos and Information

Pictures, images, or other likenesses of children and/or information related to children that could compromise their care and protection will not be made available through any form of communication media without proper protection and understanding of their use. Moreover, any images of children should not be accompanied by too detailed information relating to their private address and, if necessary, the real name will be replaced by an alias name. Pictures or films will only be used following the agreement of the child or parent or guardian based on information about the purpose and type of use. Also local traditions or restrictions regarding the use of photographs or films will be respected and it will be ensured that pictures and images present children in a

dignified and respectful manner and children should be adequately clothed and not in poses that could be seen as sexually suggestive.

5. Reporting

Welthungerhilfe will ensure that staff and other bodies mentioned under “2.4 To whom the policy applies” are clear what steps to take where concerns arise regarding the safety of children.

5.1 Incident reporting

It is mandatory for any allegation, belief or suspicion of child abuse, child exploitation and policy non-compliance (past or present) by a Welthungerhilfe employee or other body mentioned under “2.4 To whom the policy applies” to be reported immediately to the respective Country Director or the Director Finance and Administration at headquarters in Bonn, as well as to the donor agency.

If a child reports an incident, the child/young person must be taken seriously and listened to carefully. Once an allegation is made there should be an immediate response that protects the child from further potential abuse or victimisation. Where appropriate, the family of the child victim should be informed of the allegation and action proposed and they should be consulted where possible as to the process to be followed.³ This process will be steered and guided by the respective Country Director and the Director Finance and Administration at headquarters. Each Country Office will have a country-specific Child Protection reporting procedure that takes into account the local context.

5.2 Document the incident

As soon as possible (within a period of 48 hours of the disclosure), the staff member receiving the disclosure needs to have fully documented the allegation, including the time, place, witnesses. This report will possibly be used in court if charges are forthcoming.

All reports should be submitted to the Director Finance and Administration at headquarters or the respective Country Director. Country Offices will also inform the Director Finance and Administration at headquarters in writing immediately if any staff member is alleged to have committed or been arrested for, or convicted of, criminal offences relating to child abuse, child exploitation or policy non-compliance.

The Director Finance and Administration at headquarters will consult with legal counsel and appropriate bodies to ascertain due process and steer participants accordingly, subject to the incident reported.

6. Responding

Welthungerhilfe will ensure that action is taken to support and protect children where concerns arise regarding possible abuse, exploitation and policy non-compliance.

³ There needs to be consideration about what treatment the child will receive from his or her family or from local authorities. Eg., will the child be victimised, criminalised or ostracised.

6.1 Distance the alleged perpetrator

The best interests of the child/young person may warrant the standing down or transfer to other duties of a staff member or volunteer while an investigation commences. Staff members stood down receive full pay and are entitled to a just process that does not pre-suppose guilt or innocence. The allegations should not be discussed or communicated to other people until such have been considered and a decision made by management. The decision made should be documented and filed.

6.2 Confidentiality

Confidentiality is crucial to a fair and effective reporting procedure. It is unacceptable and potentially defamatory for concerns of child abuse (and abusers) to be spread throughout the organisation rather than being directed through a formal complaints process. All participants must understand the importance of following the set reporting lines when concerns arise. Confidentiality protects the child, the notifier, the respondent and the organisation, and ensures a fair and proper process.

6.3 Reprisal

Welthungerhilfe will not tolerate any form of coercion, intimidation, reprisal or retaliation against any employee who reports any form of abuse or exploitation, provides any information or other assistance in an investigation.

6.4 Counselling support

Professional counselling support will be made available to all parties involved.

6.5 Investigation of complaints

Any form of child abuse is unacceptable and physical or any other form of abuse of a child is a crime. Organisations may be required to notify authorities when there are reasonable grounds for reporting abuse.

Allegations made overseas will need to consider national legislation or internal procedures to investigate and address the allegations.⁴

Internal investigations will consider a confidential, thorough, impartial and prompt process. The investigation may consist of interviews with witnesses and others as appropriate, collection of information about the alleged conduct, gathering of documentation, or other procedures as appropriate. The individual alleged to have violated this Welthungerhilfe policy would have the opportunity to present his or her view of the events in question. Welthungerhilfe will hold its determination until the investigation is completed.

7. Review of this Policy

Welthungerhilfe will review this policy every five years or earlier if warranted.

⁴ Consideration needs to be given how the local authorities will treat the alleged perpetrator (e.g., torture, death penalty, corrupt justice systems) as well as the child (e.g., will the child be victimised, criminalised or forced to undergo medical checks).