



FAMILY AIDS CARING TRUST (FACT MUTARE)

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CHILD PROTECTION POLICY



ACKNOWLEDGEMENTS

- This Child Protection Policy was developed by Alice Dube, Joseph Mashingaidze, Rodwell Nyamanza, James Matsito and Brenda Chiturumana.
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- Appreciation also goes to Tear Fund UK, Save the Children UK and UNICEF for providing technical support.
- This policy could also not have been what it is like without the Child Protection Policies which the team that developed this policy went through.
- Child Protection Policies for Tear Fund UK, Save the Children UK, Plan International and World Vision have provided us with critical ideas which helped in coming up with this document.

EXECUTIVE DIRECTOR'S NOTE

The desire to make FACT a safer place for children has motivated us to come up with this Child Protection Policy. The number of children who are victims of abuse across the social divide is rising and worrying. This, along with current trends in child rights programming, has given us the drive to develop this policy so that not only the child is protected, but the organization and staff members alike.

The need to mainstream child protection in all program activities is as compelling as it is fast becoming a strategic tool. It is therefore our collective responsibility to ensure that we lead the way in creating an environment that allows all those children whom we constantly get into contact with, to develop socially, mentally, physically, emotionally and spiritually. This is even how Jesus grew up (Luke 2 v 52).

Zimbabwe is a signatory to the United Nations Convention on the Rights of the Child and the African Charter on the Rights and Welfare of Children. Current efforts to ensure children's full enjoyment of their right to be heard, right to life, survival, development, protection, participation and non discrimination and to serve their best interests, need to be supported by all child friendly state and non state actors. FACT is therefore committed to upholding these fundamental principles and ratification of this policy is one bold step towards this direction. We seriously need to protect those children whom we are supporting and no-one can opt out of this commitment and responsibility.

This policy is for everyone; from the hardworking and indispensable volunteer caregivers representing FACT's interest in the community right up to the Board of Directors, including all those we are in partnership with. It should not be seen as a policing tool but as a document that raises our level conscientiousness to child protection. Remember, anyone's child could be a victim of abuse.

Children are a gift from God, our heritage and our future. In this era of visioning and social transformation, child protection must be the priority of each one of us.

A handwritten signature in black ink, appearing to read 'Jephias Mundondo', written in a cursive style.

Jephias Mundondo

August 2010

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SECTION 1: INTRODUCTION

PREAMBLE

Family Aids Caring Trust (herein after FACT) is a Christian based organisation which seeks to strengthen partnership with local, regional and international communities to provide holistic and quality prevention, care and support interventions to alleviate the impact of HIV to infected and affected households. FACT commits itself to protecting children whom its staff, volunteers as well as outsiders may get into contact with. The organisation's mandate is to serve the best interest of all children through protection from abuse, harm and exclusion, child participation and development in all its programs. The need for this policy is also premised on the fact that children are a vulnerable group who can easily be exploited by duty bearers who include families, schools, development workers and society in general. The policy will guide FACT and its partners in the delivery of services and especially ensure that all program activities minimise the potential of risks to children.

This policy is based on international, regional, national and biblical standards on keeping children safe, which include the United Nations Convention on the Rights of the Child (UNCRC), African Charter on the Rights and Welfare of Children (ACRWC), Code of Conduct for Humanitarian Workers and local Acts of Parliament. The policy applies to all members of staff whether on fixed or short term contracts, hired services, caregivers, children, partners, consultants and visitors. FACT's Board and Management have the duty to ensure that this policy binds all employees and caregivers both at work and in their private lives and are answerable for any infringements that may affect the safety of children.

The Personnel department should ensure that new employees are acquainted with this policy before engagement. All FACT employees, volunteers and contracted service providers should sign a statement of commitment to protecting children which is attached with this policy. Management shall appoint among its staff an Organisational Child Protection Focal Person and Child Protection Officers in each District where programs are being implemented. These officers shall constitute the organisation's Child Protection Committee which shall be mandated to preside over any matter relating to the protection of children.

The following definitions are applicable for the purposes of this policy:

- **Caregivers**- volunteers working on different FACT programs.
- **Child**- a boy or a girl under the age of 18 years.
- **Child abuse**- any act of commission or omission which may harm the child physically, emotionally, socially, psychologically or materially. Common forms of abuse are:
- **Emotional abuse** - the failure to provide a developmentally appropriate, supportive environment... so that the child can reach their full potential in the context of the society in which the child lives. They 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 (WHO, 1999).

- **Exploitation**- is the abuse of a position of vulnerability, differential power, or trust and includes profiting materially, socially or politically from a child.
- **Neglect**-is 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 which causes, or has a high probability of causing, harm to the child's development (WHO, 1999).
- **Physical abuse**-is 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 (WHO, 1999).
- **Sexual abuse**-is 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 violates the laws or social taboos of society (WHO, 1999).
- **Child protection** - actions taken to safeguard children from all forms of abuse and to create an enabling environment for child development, participation and survival.
- **Employee** - persons engaged by FACT to offer services on permanent or fixed term basis.

1.3 INDICATORS OF ABUSE

To help the reader appreciate how to identify abused children, some of the observable indicators of abuse include but are not limited to:

Pregnancy
 Poor appetite
 Wasting
 Sexually transmitted infections
 Depression
 Irritability
 Drop in school performance
 Imitating abusive behaviour
 Sleep talking
 Insomnia
 Fear of specific places and people
 Incessant crying
 Withdrawal
 Bruises and cracks
 Hallucinations
 Violent behaviour
 Truancy
 Loss of memory
 Bedwetting

SECTION 2: PREVENTION

2.0 INTRODUCTION

This section highlights the minimum standards of compliance that the organisation should adhere to in order to safeguard the interests of children and prevent abuse from taking place. It also guides FACT employees and any other person that may be contracted to provide services on how to conduct themselves when they are in contact with children. The section also contains checklists on the recruitment and selection of staff.

2.1 RECRUITMENT AND SELECTION

To safeguard the interests of children and deter unsuitable applicants who may seek to gain access to children, FACT recruitment and selection procedures must ensure that the following are in place:

- That all job advertisements should clearly state that reference and background checks will be conducted on all job applicants.
- That reference checks are conducted with previous employers to assess the suitability of the prospective employee in regards to working with children.
- That police clearance is provided by the applicant prior to engagement.
- That gaps in employment history should be investigated and the recruiting officers are satisfied that such gaps are not related to any breaches of child safety.
- That job interviewees should be asked specific questions relating to Child Protection.
- That, at best, the organisational Child Protection focal person be part of the recruitment and selection panel.
- That specific questions about the candidate's suitability to work with children are asked from all the referees provided by the job applicant.
- That reference checks should also be done with acquaintances of the applicant who may not necessarily have been provided as referees.
- That upon assumption of duty, each employee is given a copy of the Child Protection Policy and subsequently signs a statement of commitment to Child Protection.

2.2 CODE OF CONDUCT

FACT employees should conduct themselves in a manner which ensures that:

1. Children are given correct and factual information on any issues that they may bring forward which may include concerns about:
 - Child protection
 - Child abuse and its indicators
 - Sexual and economic exploitation
 - Neglect and abandonment
 - Reporting systems when they are aggrieved
 - Child development and participation
 - Child rights, duties and responsibilities
2. Children are helped to grow up as God fearing and inculcate values of love, caring and trust through:
 - Upholding Christian principles in their conduct with children although Christianity shall not be basis upon which beneficiaries are to be selected or supported.
 - Sensitising children, communities, parents and guardians on traditional practices that could harm children.
 - Treating children with love and respect and maintaining their dignity.
3. Consistency in equal treatment of boys and girls are maintained in all program activities.
4. Children are supervised and monitored at all times during program activities:
 - Children must be accompanied by project staff and caregivers where applicable.
 - Children must sleep in the company of an officer or chaperon of the same sex.
 - The legal guardian must sign indemnity forms before allowing children to participate in any project activities.
 - Children should be given clear boundaries of behaviour and resultant consequences should these be breached.
 - Communication with children must always be in a public and open place and preferably in the presence of another officer, child or caregiver.
5. Physical contact with children must be professional and at best carried out with extreme restraint and in the best interest of the child.
6. Children should be afforded the opportunity to express their concerns in a free and open environment.
7. Permission should always be sought from the child and or his/her legal guardian when:
 - Capturing project photos.
 - One wants to use the child's personal information for internal and external publications.
 - Children are to participate at public events.

8. Travelling with children at night should be avoided unless there are valid reasons necessitating this which should be communicated to the immediate supervisor.

FACT employees should conduct themselves in such a manner that they should not:

1. Improperly associate themselves with children.
2. Administer corporal punishment on children.
3. Employ or facilitate the employment of minors formally or informally:
 - In delegating work to children, FACT officers and volunteers should ensure that such work is within their physical abilities.
4. Coerce children to join and participate in a faith or religion which is not of their choice.
 - Children's beliefs, values and religious practices should be respected in all program activities.
 - Children should never be discriminated against on the basis of sex, race, tribe or religion.
5. Expose children to environments which could give them access to harmful literature and ideas.
6. Solicit for favours, sexual or otherwise in return for support to any minor.
7. Preside over or participate in ritual or customary ceremonies which are not in the best interest of the child.

2.3 COMMUNICATION REGARDING CHILDREN

All communication regarding children should safeguard the child's right to dignity, privacy and confidentiality.

- Reception of all children upon entry into FACT premises must be courteous, humble, respectful, sensitive and in the child's interest.
- The receptionist should refer all children to the Child Protection focal person who will then interview the child and advise appropriately.
- In the interest of protecting their identity, names of children should be used with restraint. Wherever possible, pseudonyms are more preferable than real names.
- Project staff should generally refrain from capturing photos of children for which there is no immediate use.
- When capturing of photos is necessary, this should be done with the express written consent of the child and or guardian (in the event that the child cannot give consent).

- The child should be informed of the use of the photos and the medium in which the photos will be used.
- Pictures caricaturing children and those that depict them in negative light should not be used under any circumstances.
- Use of children’s testimonials in public must be avoided unless it is in the best interest of the child.
- Children’s photos should under no circumstances be uploaded on the internet or web sites which FACT has no control over.
- Where photos are uploaded on FACT’s website, this must be done with the express written consent of concerned child.
- The child should not be coerced to say things that will give the officer concerned or the organisation an unfair advantage at the child’s expense.
- Language used for and with children should not be discriminatory, derogatory, abusive or inflammatory.
- Twelve months after capturing, all children’s photos should be sent to the archive which is maintained by the IT technician. Access to these photos after twelve months should be granted by the Child Protection focal person who should verify intended use prior to authorisation.

2.4 ACCESS TO CHILDREN BY VISITORS AND PARTNERS

Visitors intending to get access to children should be bound by the terms set out in this policy. FACT staff accompanying visitors and partners to project sites should ensure that visitors are mindful of the cultural context and do not do anything that may inflame the community in a way which can be detrimental to the growth and development of children. Visitors should acquaint themselves with FACT’s Child Protection Policy and sign the commitment statement and access forms (see Appendix 1 and 3).

SECTION 3: INTERVENTION

3.0 INTRODUCTION

This section explains the procedures to be followed when there is an allegation of breach of the policy or when the safety of the child is threatened. Duties and responsibilities of victims, aggrieved persons, whistleblowers and FACT employees are highlighted herein.

3.1 MANAGING DISCLOSURE FROM THE CHILD

When a child reports that he/she or someone they know has been abused the following measures should be taken:

- Accept what the child is saying and don't appear as if you are protecting the alleged perpetrator.
- Gather correct, accurate and sufficient information about what happened.
- Create an enabling environment for the child to speak openly and without fear.
- Reassure the child of his/her safety and promise shared confidentiality.
- Explain the steps that you are going to take afterwards and make sure the child understands these steps.
- Avoid direct confrontation with the alleged perpetrator and allow investigations to be carried out properly.
- Do not gossip; make assumptions or conclusions about the child and the alleged offence.

The process of handling disclosure and investigations must be done in the best interest of the child.

3.2 RESPONSIBILITY TO REPORT

All FACT employees have an obligation to bring to the attention of the organisational child protection focal person any acts of commission or omission which are in breach of this policy. District focal persons have the responsibility to receive and refer cases if an alleged breach cannot be reported to the organisational focal person instantaneously. Reports should be made verbally or in writing within 48 hours of the alleged breach. Where informants prefer to be anonymous, such a preference shall be respected by

those carrying out the investigations if it does not obstruct the alleged offender's right to a fair hearing.

3.3 SUPPORT TO THE INFORMANT

When an informant (internal or external) reports an alleged breach of this policy the following measures must be taken to support the informant:

- Report the case to the organisational child protection focal person within 48 hours.
- The focal person should assure the informant of confidentiality and protection from victimisation by the perpetrator.
- The organisation must promote a culture of openness, accountability and create an enabling environment for reporting breach of this policy.

3.4 DUTY TO COOPERATE

Individuals are deemed innocent until they are proven guilty of any offence or breach of this policy. Alleged offenders and witnesses have a duty to cooperate with internal or external investigations so that they are provided with an opportunity to present their side of the story. The organisation should give the alleged perpetrator time and space to defend him/herself against the allegations. Line management should cooperate with investigations and provide information required for such investigations.

SECTION 4: MANAGEMENT AND INVESTIGATION

4.0 INTRODUCTION

This section looks at how the organisation should respond to reports of suspected cases of breach of policy. It looks at the duties of the child protection focal person, who constitutes a child protection committee and how investigations must be carried out.

4.1 DUTIES OF THE ORGANISATIONAL CHILD PROTECTION FOCAL PERSON

The organisational child protection focal person is empowered by the board and directorate to:

- Appoint district child protection focal persons.
- Convene and chair meetings of the organisation's child protection committee.
- Receive reports on breach of this policy.
- Institute internal investigations into any allegations.
- Appoint an investigation team.
- Determine the section of the employee code of conduct under which an alleged offence falls for purposes of disciplinary procedures.
- Authorise trainings of members of staff on policies and procedures related to child protection.
- Make recommendations to the organisation, management and board on child protection issues.
- Determine whether investigations should be held internally or externally and subsequently engage external investigators.
- Articulate the organisation's opinions and culture on child protection issues.
- Advise management, Directorate and Board on child protection issues.

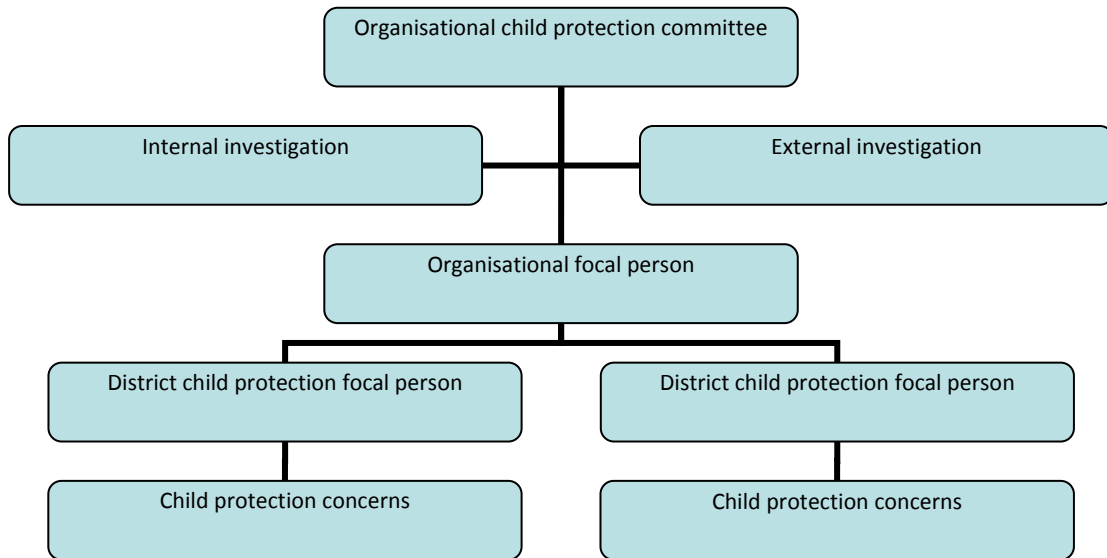
4.2 INVESTIGATIONS

Internal investigations need to be carried out within the 14th day and not later than the 21st day of receiving the report. Depending on the magnitude of the offence, the

organisational Child Protection Committee may recommend suspension from duty to allow smooth investigations to take place. Investigations should be completed within 30 days of commencement.

4.3 REPORTING FRAMEWORK

Below is an outline of how child protection concerns are dealt with:



The organisation's child protection committee has overall oversight on the protection of children in all project areas. The committee shall comprise of the following members:

- FACT's child protection focal person
- District focal persons
- One nominee from each of the four programs (Behaviour Change, Care and Support, Finance and Administration and Training and Capacity Building).

SECTION 5: IMPLEMENTATION

5.1 IMPLEMENTATION AND ADVOCACY

The organisational focal person should ensure that each employee has got a copy of this policy and has signed a commitment statement to abide by this policy. See appendix 1.

- The organisational focal person or his/her proxy must make this policy known to funding partners and contracted service providers.
- The organisational focal person shall facilitate the training of district focal persons on the implementation of this policy.
- District focal persons shall make this policy known to all FACT officers, community members and stakeholders.
- All program activities should mainstream child rights and protection issues in line with FACT's commitment to protecting children.
- FACT's commitment to child protection will be enhanced through learning and sharing experiences within and outside program activities and various child related forums.
- A translation of this policy into a local language for use by community caregivers and children is necessary.

5.2 MONITORING

- Reports that are raised should be kept safely to enable follow up of cases.
- The organisational child protection committee should meet quarterly to review child protection matters from program areas.
- A quarterly child protection report must be submitted to the Directorate and Board by the child protection committee.
- Any confidential child protection information must be kept safely by the focal persons.

5.3 REVIEW OF THE POLICY

This policy is subject to review by the organisational child protection focal person along with FACT's strategic plan and direction. It can also be reviewed if there are changes in national legislation or when current child protection trends demand so.

APPENDIX 1: STATEMENT OF COMMITMENT TO CHILD PROTECTION

I ID Number employed by Family Aids Caring Trust (FACT) declare that I have acquainted myself with the United Nations Convention on the Rights of the Child (UNCRC), African Charter on the Rights and Welfare of Children (ACRWC) the Children’s Act and FACT’s child protection policy. I therefore commit myself to:

- Protect the rights and interests of children.
- Ensure the safety of all the children whom I come into contact with.
- Report any cases of abuse to the relevant authorities.
- Provide an environment allowing for free participation of children in activities and decisions that affect them.
- Avoid improper association with children.
- Ensure that all external stakeholders intending to get into contact with children are referred through my immediate supervisor.
- Seek parental/guardian consent whenever children are to be taken away from their place of custody.
- Ensure that children are accompanied by chaperons if they are taken for project activities without their legal guardians.
- Desist from capturing children’s photos and using their names in project write- ups without their prior consent.

I understand that any act of commission or omission of the above commitment may attract disciplinary measures.

Signed Date

Immediate Supervisor Date

APPENDIX 2: INDEMNITY FORM

Ini _____ mubereki/muchengeti wa _____ ndinopa mwana wangu _____ mvumo yokuti aite zvirongwa zvinoitwa neFACT zvakanangana nekumusimudzira kubva musu wa _____ kusvika musu wa _____. Ndinotenda kuti veFACT vachaita zvose zvavanogona kuchengetedza mwana wangu kana pachinge paita dambudziko uye kuti handizovapi mhosva pane zvingangokanganisika. Ndinobvuma kuti veFACT vachange vachizitora mifananidzo yemwana wangu kana vachinga vatenderana naye uye kuti havazoshandisi mifananidzo yemwana wangu pane zvinhu zvisina kunangana nemabasa eFACT.

Signature _____

Date _____

I _____ parent/guardian to _____ give my child permission to participate in activities organised by FACT which are aimed at developing him mentally, socially, emotionally and physically from _____ to _____. I accept that FACT officers shall do their best to ensure the safety of my child and I shall not hold them responsible for any eventuality which they have not personally caused. I accept that FACT staff shall take photos of my

Signature _____

Date _____

APPENDIX 3: ACCESS TO CHILDREN BY VISITORS AND PARTNERS

NAME..... SEX.....

ORGANISATION.....

POSITION OF VISITOR/PARTNER.....

REASONS FOR ACCESSING CHILDREN

1.
.....
2.
.....

State the uses of information you will obtain from the children

1.
2.
3.

Are you going to be taking any pictures of the children? Y N

If yes where and how will these pictures be used?

.....
.....

tear here

All pictures taken in the field will need to be cleared by the child protection focal person before leaving the organisation. The organisation will be informed of the stories and reports where the pictures and information will be used. The organisation reserves the right to deny granting permission to use the information and pictures.

I have read and understood FACT's Child Protection Policy and will abide by it.

Visitor's signature.....

ID Number.....

Child Protection Officer's Signature.....

APPENDIX 4: CONSENT FORM TO USE INTERVIEWS AND IMAGES OF CHILDREN

Part A: Consent by a child above 8 years (Adapted from Tear Fund Child Protection Policy)

1. I agree to FACT:

Speaking to me and recording my words at (venue)

Taking my photograph

Making a video or other recording

2. I agree to FACT (and organisations that have a relationship to it) to use:

My story

photographs of me

my condition

3. I understand that my photo and or information will be used for:

Educational purposes

promotional purposes

Other (specify)

Name

Signature/ Thumb.....

Location

Age..... Date.....

Name of parent/ Guardian

Relationship to child

