



Child Protection Policy (adopted by all partner agencies in Cambodia)

PURPOSE OF A CHILD PROTECTION POLICY

Introduction

Child abuse happens in all societies throughout the world. The child abusers can be anyone, including those who work/care for children.

The UN Convention on the Rights of the Child states that:

- All children have equal rights to protection from abuse and exploitation
- Everybody has a responsibility to support the care and protection of children.
- The duty bearers are accountable to eradicate child abuse.

Based on the above guiding context and principles, Schools for Children of Cambodia (SCC) is obliged and committed to ensuring that children involved with its programmes are protected from any form of abuse.

Definition

A child means every human being below the age of eighteen years.

Child abuse means sexual abuse or other physical or mental harm deliberately caused to a child.

Child Protection Policy is a statement of intent that demonstrates a commitment to safeguard children from harm and makes clear to all what is required in relation to the protection of children. It helps to create a safe and positive environment for children and to show that the organisation is taking its duty of care seriously.

Statement of Commitment

Schools for Children of Cambodia's (SCC) first priority is the safety and well being of the children under the care of those it supports. SCC is committed to a strict child protection policy to ensure the children are not exposed to abuse, exploitation, violence or neglect. This policy conforms to the general principles of the UN Convention of the Rights of the Child as follows:

Best Interests of the Child: The best interests of the child will be SCC's primary consideration. All decisions and actions concerning a child will serve the best interests of the child. When weighing up alternatives SCC will seek to ensure that the final decision or action arrived at will be that in which the child receives the maximum benefit possible. SCC will at all times consider the impact a decision or action will have on the child and ensure the positive impacts outweigh any negative impacts.

Non-Discrimination: SCC will enforce a policy of non-discrimination at all times and all children should be treated with respect and love equally.

Participation and Self-Determination: SCC abides by the principle that a child has the right to have his or her views taken into account in accordance with their age development in major decisions affecting their life. They will be given the opportunity to express their ideas and views and be heard on matters affecting them. SCC will in all cases give serious consideration to the child's wishes (and those of their legal guardians where appropriate) throughout the decision-making process. All children have the right to self-determination.

SCC aims to support safe and friendly environments where children can develop and grow in a healthy way.

The guidelines in this Child Protection Policy protect both the child from abuse and adult from false accusation.

SCC will:

- Respect the rights and dignity of the children, families and communities with whom we work, and always act according to the best interest of children.
- Demonstrate commitment to actively preventing child abuse.
- Take positive action to prevent child abusers becoming involved with SCC in any way and takes stringent measures against any SCC associate who commits child abuse.

To ensure the above commitment, SCC is committed to upholding

- the UN Convention of the Rights of the Child
- Cambodian constitution, especially articles 41 and 42 (Please see appendix I)
- The Cambodian current and future laws and tools on child rights.
- Positive traditional practice

1. WHO THIS POLICY APPLIES TO AND RESPONSIBILITY FOR IMPLEMENTATION

This policy applies to all associates of SCC: interns, volunteers, employees, prospective employees, counterparts, consultants, contractors, partner organisation members and visitors. The term SCC associates will be used.

The organisation's Child Protection Officer (CPO) is responsible for ensuring that the Child Protection Policy is dispatched and understood by all associates and that they all acknowledge their receipt of and responsibilities under the policy.

SCC will ensure the Child Protection Policy remains relevant and effective to all associates. SCC associates will consistently monitor all risks pertaining to the Children and when needed make any necessary changes to the Child Protection Policy.

SCC will advise and assist all associates in the implementation of the policy. The Child Protection Officer and/or Director of each organisation will be responsible for the effective implementation of the Child Protection Policy.

2. VISITORS TO THE CENTRES

- All visitors must sign in at associate offices.
- No visitor should be allowed in without informing local director, manager or senior staff member, unless prior authority has been granted.
- All visitors must be closely monitored by staff or volunteers, No visitor can be left alone, with or without children when in centres. Photography is only permitted if management approval is given.

3. PERSONNEL RECRUITMENT, SCREENING AND ORIENTATION

1. Advertisements for job vacancies will make clear that associates are committed to child protection and that prospective employees' commitment to child protection must be a condition of employment.
2. All prospective associates will be informed of SCC's Child Protection Policy at the start of any recruiting process.
3. Screening of applicants will include a written application, personal interviews (where possible), copy of passport/ID card, any Child Safe children's cards eg: Australian 'Blue Card', reference/police checks and reference checks. During the interview process, applicants will be asked about previous work with children.
4. Where possible and permissible by local law, applicants for positions as a staff member or volunteer are requested to give permission for a criminal record or police check for any conviction related to child abuse or other relevant offences. Expatriates will be subject to the same background checks as possible and permissible by law in their home countries.
5. The Child Protection Policy will be reviewed during new staff orientation. The CPO shall ensure all new personnel acknowledge in writing their receipt and understanding of the policy, with signed copies of their acknowledgement kept in the personnel files.

4. CODE OF CONDUCT FOR SCC ASSOCIATE PERSONNEL

A code of conduct gives guidelines deemed to be appropriate and proper behaviour for all associates when interacting with Children associated with SCC. They are

primarily designed to protect children but are also intended to protect personnel from false accusations of inappropriate behaviour or abuse.

1. No child is to be taken on a motorbike, tuk-tuk or car without making prior arrangements with the directors or CPO.
2. No child is to be taken to any associates home, guesthouse, hotel or accommodation.
3. No associate is permitted to socialise with the children outside the organisation premises apart from a friendly hello.
4. No associate is permitted to take any child to a café, restaurant or buy them food, unless permission has expressly been given by Directors. If the children are obviously hungry, then the Directors or CPO are to be informed immediately.
5. No presents of any kind are to be bought for the children without prior arrangement with Directors or CPO.
6. Associates should not act in ways intended to shame, humiliate, belittle or degrade children or perpetrate any form of emotional abuse.
7. Associates must display appropriate language, actions and relationships with children at all times. Extra care should be given to protecting the reputation of both female children and staff by ensuring that language and behaviour at all times reflect appropriate male-female relationships, which are respectful of and in line with Cambodian culture and customs.
8. Associates should not hire any of the children to do domestic work or to perform other work without prior permission from the directors. This is necessary to ensure the child's age and working conditions meet the criteria specified in the MOSALVY Prakas on Light Work for Minors and other relevant labour laws. These include hiring only minors over the age of 12 years old, limiting workdays and hours and providing access to education. Staff not meeting these criteria may be in violation of child labour laws and are subject to investigation for child abuse and/or exploitation.
9. Associates must take extreme care when interacting physically with the Children. Staff must not fondle, hold, kiss, hug or touch minors in an inappropriate or culturally insensitive way. Under no circumstance should any physical contact be or have the appearance of being sexual in any way.
10. Personnel must not exert inappropriate physical force when dealing with the Children. This includes, but is not limited to, pushing, shoving, hitting, slapping or any other action that could cause fear, intimidation or distress.
11. Personnel are responsible for their actions and reactions to Children at all times. They should be aware that they might work with children who may, because of the circumstances and abuses they have experienced, use a relationship with an adult to obtain 'special attention'. The adult is always considered responsible for his or her actions regardless of how a child behaves towards them. Staff should be alert to such behaviour and avoid being placed in a compromising or vulnerable position. Any advances of this nature should be immediately reported to the directors or CPO.
12. Where possible and practical staff should implement the 'two-adult' rule, whereby two or more adults supervise all activities with Children. If for any

reason an individual conversation or counselling session is warranted with a child, another adult must be within visual contact.

13. Inappropriate conduct toward children, including failure to follow the behaviour standards stated above is grounds for discipline, up to and including dismissal from employment or placement and/or police notification and legal action.
14. A staff member must accompany any visitor or non-staff member to any facility.
15. No associate, except those designated, should enter the sleeping space of the children without permission from the CPO/Director.

5. AWARENESS RAISING AND EDUCATION.

1. SCC are obliged to make all staff and associates aware of the issue of child protection and Child Protection Policy.
2. All associates and local communities should be provided with opportunities to learn about how to safeguard children, to recognise and respond to concerns about child abuse.
3. When and where possible, children will be educated in self-protection from physical and sexual abuse. Children will be taught that they have a right to do something if an adult or another young person behaves or talks to them in a way that makes them feel uncomfortable or in danger, and to trust and act on their instincts.
4. Managers will initiate an open culture, encouraging opportunities for staff to raise concerns, to question, to discuss, to feedback, and learn about child protection issues. This will be done during staff meetings, through training and on other occasions. Regular staff supervision will take place where this issue will be addressed and issues discussed in an open and supportive manner.
5. Appropriate literature such as help-line posters, leaflets re how to report an incident and child-safe information will be made available to the children. Regular training and awareness raising regarding child protection will take place with the children. Child Protection will be discussed regularly at meetings and forums that take place with the children.

6. COMMUNICATIONS ABOUT CHILDREN.

1. All communications regarding the children will ensure that the protection, privacy, dignity and best interests of the child is paramount.
2. The informed consent of the child and his/her parents or guardians should always be obtained before a recording, photograph or image is taken and its intended use(s) explained. Where possible, the child and family should be shown the finished product before it is published.

3. Children should be adequately clothed in photographs or images taken of them and not in poses that could be interpreted as sexually suggestive.
4. Real names of especially vulnerable children should be changed and it should be indicated that they have been changed.

7. REPORTING AND INVESTIGATING ABUSE OR SUSPECTED ABUSE

SCC takes Child Abuse very seriously. Many of the Children have experienced abuse of some form in their home environment and SCC aims to enable a safe and protected environment for the children. Child abuse in any form including physical, emotional or sexual abuse is a serious offence. Any infringements of this type will be prosecuted to the full extent of law. Child abusers are not likely to remain in an environment where workers are trained to identify and report suspicious behaviour. For these reasons, all personnel are responsible for reporting suspected child abuse or exploitation of any kind.

Any person who has knowledge of, suspects, or has witnessed a potential child protection issue involving associated personnel should immediately contact the CPO or one of the Directors. A report should be made immediately, within 24 hours, to allow for early intervention and a prompt investigation. This verbal report should be followed with a written statement within a further 48 hours. Failure to report suspected child abuse or misconduct may result in disciplinary action.

On receipt of the report, the CPO and/or Director will begin an internal investigation and where appropriate file a complaint with the relevant Police, NGO and/or Authorities. Full cooperation will be afforded them during any external investigation. Where appropriate, if the accused is an expatriate, the relevant law enforcement authorities will also be informed with due regard given to the potential for extraterritorial proceedings by the expatriate's country of origin.

The internal investigation will be launched within 48 hours of receipt of the complaint and will be carried out by the CPO and/or Director. In the event that the complaint is connected to the CPO and/or Director, the investigation must involve the designated Management Committee.

At the discretion of the Director, any associate could be suspended, on full pay (where applicable) pending investigation. The associate will be informed that an allegation has been made against him/her and they will be given the opportunity to respond.

The rights and welfare of the child is of prime importance and therefore any investigation will aim to respect the privacy and safety of the child and to make the investigation as child friendly as possible.

Response to Internal Investigation Findings

1. At the conclusion of the investigation, the associate, the child and/or his or her family as appropriate should be informed of concerns or allegation, the results of the investigation and what corrective action, if any, will be taken.
2. In the event an allegation is proven to be untrue, or even fabricated, appropriate steps will be taken for follow-up with the person who has been accused, the child, and the person who reported the incident. Efforts will be

made to provide assistance to an associate accused of abuse with children, including counselling or other appropriate forms of support

3. If abuse is proven by the investigation, every effort will be made to assist the child in coping with any physical or emotional trauma he or she may be experiencing. This may include medical treatment, psychological counselling or any other form of assistance deemed necessary and appropriate.
4. If the investigation concludes that child abuse has occurred which is not subject to criminal prosecution, staff will be subject to disciplinary action up to and including dismissal.
5. If the investigation concludes that abuse has occurred which is subject to criminal prosecution according to national laws, all findings will be reported to the relevant national police authorities and full cooperation afforded them during an external investigation. If the accused is an expatriate, the relevant law enforcement authorities will also be informed with due regard given to the potential for extraterritorial proceedings by the expatriate's country of origin.
6. In the event an associate is discharged for proven child abuse, information will be disclosed, as directed by police, a prospective employer, etc. Such disclosures will be made in accordance with applicable law and/or customs.
7. The media may become involved when a concern or allegation is raised. Only the Directors will liaise with the media.

I have read the complete Internal Child Protection Policy. I fully understand and agree to follow all procedures contained within.

If at any time I fail to follow the guidelines set forth by the Child Protection Policy I understand that my employment / association may be terminated by the Director and appropriate action will be taken.

Signature

____/____/____
Date

If responding by email please state acceptance of terms of child protection policy. You will receive a hardcopy to sign once you arrive.

Appendix I

Royal Government of Cambodia Constitution (unofficial translation)

Article 41: Causing wounds on purpose:

- Anyone who beats/fights another person on purpose resulting in permanent disability must be punished by putting them in prison for 1 to 5 years.
- If they cause temporary disability less than 6 months they must be punished and put in prison for 6 months to 2 years.
- If it doesn't cause disability they are to be punished by putting them in prison for 2 months to 1 year.
- If using any kind of weapons must be punished 2 times more.

Article 42: Rape

- Anyone who rapes another, even the same sex or opposite sex by touching or actions involving sex must be punished to put in prison for 1 year to 3 years.
- If the rape is conducted by coercing a victim younger than 16 years old then the person who commits this must be punished 2 times more.