

Child Safeguarding Policy Terre des Hommes Netherlands

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Responsible Department	HR

Introduction

Terre des Hommes Netherlands is an organisation that works for children's rights and equitable development. It gives aid to children that are in, or at risk of becoming involved in abusive, exploitative and dangerous situations. Terre des Hommes Netherlands works through its projects and those of its project partners. In most projects, adults are in direct contact with children.

The standard for children's rights and protection against harm is given by the United Nations Convention on the Rights of the Child. The Convention demands that the best interest of the child, is the principle for any action (article 3). According to the Convention, child abuse can be physical, emotional and sexual and also include neglect, exploitation and harassment.

Terre des Hommes Netherlands recognises that child abuse can occur in all societies, in all cultures and organisations. It is pertinent that abuse by anyone is prevented or that it stops as soon as possible.

Terre des Hommes Netherlands has developed a Child Safeguarding Policy with an underlying Code of Conduct to serve as minimum standards within its projects, as a measure to promote well-being and safety for the optimal development of children. The Code of conduct gives clarity on acceptable and unacceptable behaviour in the company of children. Next to this, the Principles of Ethical Reporting do not only assist journalists and other media professionals but also corporate or private donors during their project visit as they all, in their own way, report on issues affecting children.

The child safeguarding policy of Terre des Hommes Netherlands and the Code of Conduct Child safeguarding:

- define expectations in dealing with issues of child safeguarding – providing guidance to staff and third parties;
- are a starting point for an open approach to promoting the wellbeing of children within the projects of Terre des Hommes Netherlands partners;
- are based on concepts from the Child Rights Convention (1989): taking the best interest of the child as the basis for all behaviour, promoting development of the child and preventing harm;
- are part of the labour contract: not acting in accordance with it is reason for dismissal.
- form part of the donor agreement and adherence is a prerequisite for financial support.

Terre des Hommes Netherlands considers child abuse unacceptable (zero tolerance) in all circumstances and is committed to ensure that in all its activities and those of its partners, all

necessary steps are taken to protect the rights of children and to ensure their wellbeing. The code of conduct and the principles underlying it, are to be respected by all Terre des Hommes Netherlands staff, all project partner staff and those visiting projects for whatever reasons, including volunteer work, rendering any type of service or advice, reporting or journalism, and other representatives.

The child safeguarding policy takes into account local concepts of normal adult-child interaction, culture, religion and local law except in cases where these are deemed to be contrary to the best interest of the child.

With this child safeguarding policy Terre des Hommes Netherlands aims to raise awareness of child abuse: to prevent, denounce and react to child abuse through: effective recruitment procedures, training staff on child safeguarding matters and by developing an open and informed culture within the organisation.

Terre des Hommes Netherlands cannot accept responsibility of abuse of a child participating in a programme of a project partner, other than informing and helping the management of the project partner to prevent and deal with child abuse.

1. Child abuse

The universal categories of child abuse (see The United Nations Convention on the Rights of the Child article 19) are defined as follows and act as a reference for local environments:

- *Physical abuse*: Actual or likely physical injury to any child or a failure to prevent physical injury or suffering.
- *Sexual abuse*: Actual or threatened sexual violence towards a child including all forms of sexual activity such as rape, incest and pornography.
- *Emotional abuse*: Persistent or severe emotional ill-treatment or rejection. All abuse involves emotional ill-treatment.
- *Neglect*: The failure to protect a child from exposure to any kind of danger including cold or starvation, failure to carry out important aspects of care resulting in the impairment of the child's health or development.
- *Exploitation*: Using a child for economic purposes, or performing work that may be hazardous or that interferes with the child's development. This includes educational programs that are focused on production rather than the acquisition of skills, asking children to perform excessive chores and tasks, asking children under the minimum labor age to perform paid labor, and keeping a child out of an educational facility to perform other tasks.

2. How we ensure child safeguarding in our work

Terre des Hommes Netherlands aims to create a protective environment for children in all areas of its work by raising awareness, empowering children, training staff in the prevention of child abuse and recognizing the signs of child abuse and reporting and dealing with child abuse.

- A. Awareness raising and preventing.

Terre des Hommes Netherlands will ensure that all staff, project partners and others are aware of the problem of child abuse and child exploitation, the risks to children and the role and responsibility of staff and management in the prevention of child abuse. To this effect, staff and project partners will be trained in child safeguarding as soon as this is possible, and will be required to know the Child Safeguarding Policy, Code of Conduct and Principles for Ethical Reporting and adhere to it. Terre des Hommes Netherlands stimulates an open discussion about child safeguarding concerns; contacts for questions or concerns are appointed in the organisation and exist at the regional offices and the head office. We will also ask our local partners to sign our Code of Conduct for Child Safeguarding and Principles for Ethical Reporting or use their own as long as it respects the standards laid down in this child safeguarding policy. Terre des Hommes Netherlands can provide assistance to the project partner in the implementation of this policy.

Recruitment and selection procedures for staff or volunteers will include questions and checks on suitability for working with children, the applicant's criminal record (national laws allowing) and checking job history and references.

Staff and project partners are encouraged to share any concerns they have concerning child safety and development with responsible management.

B. Reporting, protection and responding.

Terre des Hommes Netherlands will ensure that staff, project partners and others know what step to take when concerns arise regarding the safety of a child. There are different reporting levels:

a) At the level of the project partners

When child abuse occurs in a project implemented through a project partner of Terre des Hommes Netherlands, the reporting procedures of the project partner should be followed. The management of the project partner should always inform Terre des Hommes Netherlands about the child abuse and the steps that the management of the project partner has taken to deal with it. If for some reason, reporting the management of the project partner is not possible, concerns can also directly be reported to Terre des Hommes Netherlands (see procedure B below)

b) At the level of Terre des Hommes Netherlands

For projects implemented by Terre des Hommes Netherlands herself (so-called own projects) the reporting procedure of Terre des Hommes Netherlands should be followed as presented in the "Terre des Hommes Netherlands reporting concerns framework"

Terre des Hommes Netherlands management and the management of the project partner should respect the following reporting principles:

- Take any concern raised seriously
- Take steps immediately to ensure the protection of the child who is the subject of the concern
- Support children, staff or others who raise the concern
- Act appropriately and effectively. Communicate that staff and others should not start an investigation or question anyone after an allegation or concern has been raised. This is the job of the management or the local authorities. You should just record the facts and report these to the management as soon as possible.
- Listen to and take seriously the views and wishes of the child.
- Reports and information are treated with confidentiality.

→ Always report seriously

3. Role of management

The management in the Netherlands and in the region are responsible for the implementation of the policy in the organisation and good practice. All individuals, whatever their status and role, who come into contact with children must be fully informed about this policy and its accompanying procedures. Records of training of staff should be filed and compiled for subsequent monitoring purposes and used to partly determine the effectiveness of policy implementation during evaluation.

Where concerns of child abuse arise, management takes a leading role in protecting the child, ensuring correct reporting and the correct course of action. In all cases the “best interest of the child” is paramount.

Staff should be informed that in the event of behaviour incompatible with the Child Safeguarding Policy of Terre des Hommes Netherlands, the organisation would take measures against them. These measures can be administrative (for example a press release) and/or legal.

The organisation also reserves the right of termination the labour contract or other contracts.

4. Special task regional office

The regional offices of Terre des Hommes Netherlands are responsible for making an inventory of the existence of a Child Safeguarding Policy at our project partners, and to make sure that the content of that policy is sufficient. A copy of the Child Safeguarding Policy of the project partner, should be filed at the regional office. The documents are filed both in hard copy and digitally, for a period of 5 years after the term of contract.

N.B. A copy of the Child Safeguarding Policy and underlying documents signed by anyone in terms of Marketing and Communication purposes, are filed by the communication officer at both head- and regional office. Also in this case the documents are filed both in hard copy and digitally, for a period of 5 years.

If there is no policy, the project partner can use the minimum standards of Terre des Hommes Netherlands. If necessary, the regional office will give a training to the project partner how to keep the children safe at the project.

Also, the existence and the quality of the Child Safeguarding Policy of a project partner, is part of the CAT-system used and monitored in the regional office.

If a project partner refuses a Child Safeguarding Policy, the contract with that project partner should be terminated. For new project partners, accepting and following a Child Safeguarding Policy is necessary to obtain a contract with Terre des Hommes Netherlands.

A. Code of Conduct Child Safeguarding

All project partner staff, Terre des Hommes Netherlands staff and third parties involved with Terre des Hommes Netherlands projects must follow these rules to prevent, stop and report any and all abuse to children in Terre des Hommes Netherlands projects.

Definition:

For the purposes of this policy and report procedure, children are every human being below the age of 18 years, unless under the law applicable to the child, adulthood is attained earlier. In case the local law lacks clarity on the subject or if the age is unreasonably low, the age of adulthood lies at 18.

Do's:

1. Know the code of conduct.
2. Treat children with respect regardless of race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, disability or other status.
3. Be aware of children's vulnerability – generally, the children in projects that Terre des Hommes Netherlands supports are extra vulnerable or already a victim – to being abused and be aware of your position.
4. Be aware of situations which may present risks (for example being alone with children at therapy session, take film/photo or interview for work purpose/reporting). You may only proceed if the situation is within the boundaries of this policy and after obtaining clearance from local project management and the child.
5. Plan and organise the work, workplace or visit to manage risks.
6. As far as possible, be visible in working with children or visiting children.
7. Participate in achieving a culture of openness to enable any issues or concerns to be raised and discussed.
8. Ensure that a sense of accountability exists between staff so that poor practice or potentially abusive behaviour does not go unchallenged.
9. Talk to children about their contact with staff or others and encourage them to raise any concerns.
10. Empower children - discuss with them their rights -, inform them about what is acceptable and unacceptable, and what they can do if there is a problem.
11. Report concerns or incidents of child abuse to the designated persons and authorities (see report procedure child abuse).

Do not's:

1. Do not develop physical or sexual relationships with children or one that could in any way be deemed exploitative or abusive.
2. Do not act in ways that may be abusive, exploitative, physically or emotionally harmful or act in ways which places a child at risk of this.
3. Do not spend time alone with children away from others including taking a child away from the project alone or having meetings alone. If privacy is needed, other staff member(s) must be aware and a door must be left open.
4. Do not condone, or participate in, behaviour of children which is illegal, unsafe or abusive.

5. Do not behave physically in a manner that is inappropriate (for example fondle, hold, hug, kiss or touch children in a culturally insensitive way) or behave sexually. Do not sleep in the same room or bed as the children.
6. Do not use corporal punishment or otherwise physically assault children.
7. Do not act in ways intended to shame, humiliate, belittle or degrade children, or otherwise perpetrate any form of emotional abuse.
8. Do not discriminate against, show unfounded differential treatment to, or favour particular children.
9. Do not let children do domestic or other labour which is inappropriate given their age or developmental stage, which interferes with their education, or which places them at risk of injury.
10. Do not allow a child to be systematically neglected and do not fail to protect a child from any harm that you are aware of.
11. Do not abandon your professional distance by taking on a personal caring role such as by becoming a personal donor or a godfather.

Attention: Although many situations that can cause harm have been covered, above mentioned list will never be an exhaustive list. The paramount principle is to consider the best interest of the child. When in doubt, contact a manager or other responsible staff.

Report procedure child abuse

If you are concerned about the safety and welfare of a child, please report immediately to your own management (Country Manager), the Terre des Hommes Netherlands Head of Region, or the Director. You can use a Terre des Hommes Netherlands reporting form available from your employer. Act immediately, because a child may be at risk of serious harm if you don't.

The contact in the organisation of Terre des Hommes Netherlands where concerns or incidents of child abuse must be reported is:

For The Netherlands:

- Director of Stichting Terre des Hommes Nederland, Zoutmanstraat 42-44, 2518 GS The Hague Phone number: +31703105037 (secretary)

For the regions:

- Asia : Head of Region Terre des Hommes Netherlands, House 55, Street 348, Tuol Svay Prey I, Chamkarmorn, Phnom Penh, Cambodia. Tel Office: +855 89 262 562 | +855 23 222 553 or childsafeguarding.asia@tdh.nl
- East-Africa: Head of Region Terre des Hommes Netherlands, P.O. BOX 76340, 00508 Nairobi, KENYA. Phone number : +254 20 3870595 or childsafeguarding.africa@tdh.nl

If, for whatever reason, you have concerns about informing the regional office, you can directly contact the head office of Terre des Hommes Netherlands in The Netherlands.

B. Principles for ethical reporting on children

Reporting on children has its special challenges. In some instances the act of reporting on children places them or other children at risk of retribution or stigmatisation.

The guideline of Terre des Hommes Netherlands is based on the guidelines that UNICEF¹ has developed (with some small changes) to assist journalists, other media professionals but also corporate or private donors during their project visit as they all, in their own way, report on issues affecting children. These guidelines will help especially media to cover children in an age-appropriate and sensitive manner. The guidelines are meant to support the best intentions of ethical reporters: serving the public interest without compromising the rights of children.

N.B. Where in the principles and guidelines below 'reporter' is being used, it also applies to any other visitor that has no formal role as a reporting, e.g. a corporate sponsor.

I. Principles

1. The dignity and rights of every child are to be respected in every circumstance. Children must never be presented as passive victims or submissive.
2. In interviewing and reporting on children, special attention is to be paid to each child's right to privacy and confidentiality, to have their opinions heard, to participate in decisions affecting them and to be protected from harm and retribution, including the potential of harm and retribution.
3. The best interests of each child are to be protected over any other consideration, including over advocacy for children's issues and the promotion of child rights.
4. When trying to determine the best interests of a child, the child's right to have their views taken into account are to be given due weight in accordance with their age and maturity.
5. Those closest to the child's situation and best able to assess it are to be consulted about the political, social and cultural ramifications of any reportage.
6. Do not publish a story or an image which might put the child, siblings or peers at risk even when identities are changed, obscured or not used.
7. Do not make promises to the child in return for anything (e.g. images or an interview)

¹ Copyright © UNICEF, New York, http://www.unicef.org/media/media_tools_guidelines.html

II. Guidelines for interviewing children

1. Do no harm to any child; avoid questions, attitudes or comments that are judgmental, insensitive to cultural values, that place a child in danger or expose a child to humiliation, or that reactivate a child's pain and grief from traumatic events.
2. Do not discriminate in choosing children to interview because of sex, race, age, religion, status, educational background or physical abilities.
3. No staging: Do not ask children to tell a story or take an action that is not part of their own history.
4. Ensure that the child or guardian knows they are talking with a reporter. Explain the purpose of the interview and its intended use.
5. Obtain permission from the child, his/her parents or caretakers in close cooperation with the local project partner and accompanying Terre des Hommes Netherlands staff present for all interviews, videotaping and, for documentary photographs. When possible, this permission should be in writing (consent form). This always applies to individual photos and videos of children. Permission must be obtained in circumstances that ensure that the child and guardian are not coerced in any way and that they understand that they are part of a story that might be disseminated locally and globally. This is usually only ensured if the permission is obtained in the child's language and if the decision is made in consultation with an adult the child trusts.
6. Pay attention to where and how the child is interviewed. Limit the number of interviewers and photographers. Try to make certain that children are comfortable and able to tell their story without outside pressure, including from the interviewer. In film, video and radio interviews, consider what the choice of visual or audio background might imply about the child and her or his life and story. Ensure that the child would not be endangered or adversely affected by showing their home, community or general whereabouts.

III. Guidelines for reporting on children

1. Do not further stigmatize any child; avoid categorisations or descriptions that expose a child to negative reprisals - including additional physical or psychological harm, or to lifelong abuse, discrimination or rejection by their local communities.
2. Always provide an accurate context for the child's story or image.
3. Always change the name and obscure the visual identity of any child who is identified as:
 - a. A victim of sexual abuse or exploitation;
 - b. A perpetrator of physical or sexual abuse;
 - c. HIV positive, or living with AIDS, unless the child, a parent or a guardian gives fully informed consent;
 - d. Charged or convicted of a crime;
 - e. A current or former child combatant.
4. In certain circumstances of risk or potential risk of harm or retribution, change the name and obscure the visual identity of any child who is identified as an asylum seeker, a refugee or an internal displaced person.
5. In cases – as long as they are clearly explained to and approved by the child and his or her caretaker and only when comparable with the examples below – using a child's identity - their name and/or recognizable image - is in the child's best interests. However, when the child's identity is used, they must still be protected against harm and supported through any stigmatization or reprisals.

Some examples of these special cases are:

- When a child initiates contact with the reporter, wanting to exercise their right to freedom of expression and their right to have their opinion heard.
 - When a child is part of a sustained programme of activism or social mobilization and wants to be so identified.
 - When a child is engaged in a psychosocial programme and claiming their name and identity is part of their healthy development.
6. Protect the safety and privacy of children and their families by not using (location) identifiable images in the media or internet, or using them in any way which reveals their location. E.g.: don't include name, and place and country and/or mention street name where the child lives/stays.
 7. Confirm the accuracy of what the child has to say, either with other children or an adult, preferably with both.
 8. When in doubt about whether a child is at risk, report on the general situation for children rather than on an individual child, no matter how newsworthy the story.
 9. Ensure that images could not be interpreted as sexual or condone any other situation of abuse.
 10. The images and messages may only be used with the consent of Terre des Hommes Netherlands.
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I,(name and surname)

hereby declare to have received and taken note of the Child Safeguarding Policy, Code of Conduct Child Safeguarding and Principles for Ethical Reporting on children of Terre des Hommes Netherlands and will respect the policy of Terre des Hommes Netherlands.

.....(date).....(place)

(signature)