

UNIVERSAL INTERVENTION AND DEVELOPMENT ORGANIZATION

CHILD PROTECTION POLICY AND GUIDELINES REVISED 2021



Universal Intervention and Development Organization (UNIDOR)

CHILD PROTECTION POLICY AND GUIDELINES 2021

UNIDOR - SOUTH SUDAN
P.O. BOX 48719-00100 GPO NAIROBI
TEL: +211 917088006 | +211 927394926 | +254 722304348
Juba, Nabari Kololo Road
Email: ed@unidorss.org
www.unidorss.org

TABLE OF CONTENTS

1	INTRODUCTION	4
2	UNIDOR'S POLICY COMMITMENT	5
3	DEFINITIONS	6
4	PREVENTION – SAFEGUARDING CHILDREN	7
5	REPORTING AND RESPONDING TO CONCERNS RAISED ABOUT VOLUNTEERS OR	8

1 INTRODUCTION

A number of high profile child sexual abuse cases in the South Sudan and East Africa have led children's organisations to adopt more effective staff screening, better organisational practice, and codes of conduct.

However, recent cases in South Sudan and in the entire East Africa, and assessments by the UK National Criminal Service and other Security Agencies, suggest that whilst increased awareness and tighter regulations have made it more difficult for potential sexual abusers to operate in developed countries, many may now be seeking to work with NGOs - few of which have adopted similar measures to the children's organisations.

There is good evidence that child sexual abuse - and other forms of abuse and exploitation - happen in many of the areas we work in under the cover of reputable local and international organisations.¹ Few of these countries have regulations or established procedures that protect children and this, combined with the sort of trusting naiveté that exists means that abuse can easily take place and that children can easily be compromised.

Experience in some programmes has highlighted the need for to have codes of practice and conduct for volunteers working with children. However, this policy applies to all volunteers and staff and their relationship with all children and vulnerable adults.

UNIDOR has been improving its screening and this policy and guidelines draws together good practice and a code of conduct for programme staff and volunteers overseas. Whilst our broad policy relates to all forms of child abuse, it specifically is aimed at protecting children and vulnerable groups from any form of exploitation and abuse.

2 UNIDOR'S POLICY COMMITMENT

The abuse of children and other vulnerable groups occurs in all societies. It is the misuse of power to the detriment of others. It is nearly always preventable.

Believes that it is unacceptable for a child to experience abuse of any kind.

The guiding principle of this policy is that the protection of the child is always the overriding consideration in all action by staff and volunteers.

This policy is designed to ensure that takes every possible measure to prevent abuse, specifically sexual abuse, and to ensure that none of its staff or volunteers engages in behaviour that could allow sexual abuse to occur or behaviour that could be misinterpreted by children, their families or other adults as constituting, or leading to, sexual abuse.

UNIDOR will endeavour to ensure all our programme staff and volunteers

- Are **aware** of the problem of child sexual abuse and the risks to children
- Safeguard children from abuse through a **code of conduct**
- **Report** where possible breaches in the code of conduct by staff and volunteers
- **Respond** appropriately when the code of conduct is breached

The policy is about getting our own house in order; creating awareness among staff and volunteers of the problem of abuse, particularly sexual abuse. It is about doing our best to prevent abuse by a common code of conduct, and being clear on how we should report and respond to the breaking of the code of conduct by volunteers and staff.

All staff and volunteers must be familiar with the policy and be aware of the problem of abuse and the risks to children. It is the responsibility of all of us to prevent child abuse.

3 DEFINITIONS

A Child: defines a child as anyone under the age of 18 years. This is consistent with the definition used by the United Nations Convention on the Rights of the Child. This paper recognises that the age of consent varies in different countries and judgements will need to be made on how far sexual relations between young adults and people under 18 constitute abuse of power or authority.

Abuse: Four categories of abuse are in general use. The following definitions are those used in the UK but are a useful starting point for all of our work.

- Sexual abuse.
- The actual or likely sexual exploitation of a child. This includes rape, incest and all forms of sexual activity involving children, including pornography.
- Physical abuse.
- The actual or likely physical injury to a child, or failure to prevent physical injury or suffering to a child.
- Neglect.
- The persistent or severe neglect of a child, or the failure to protect a child from exposure to any kind of danger, including cold or starvation, or extreme failure to carry out important aspects of care, resulting in a significant impairment of the child's health or development.
- Emotional abuse.
- The actual or likely adverse effect on the emotional and behavioural development of a child caused by persistent or severe emotional ill treatment or rejection.

- It is clear from the above definitions that abuse can be caused by both actions and omissions and can take place both within the context of the family and in the context of other agencies and carers.

4 PREVENTION – SAFEGUARDING CHILDREN

The following forms a code of conduct for volunteers and staff. Failure to follow the code could lead to withdrawal of volunteer status or disciplinary action for staff.²

UNIDOR CHILD PROTECTION CODE OF CONDUCT

It is important for all volunteers and staff in contact with children to:

- Be aware of situations which may present risks and manage these
- Plan and organise the work and the workplace so as to minimise risks
- Be visible to others when working with children whenever possible
- Create and maintain a non-defensive attitude and an open culture in which to discuss any issues or concerns
- Foster a culture of mutual accountability so that any potentially abusive behaviour can be challenged
- 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 that there is a problem

In general³ it is inappropriate (unless they are parents, family or guardians) for volunteers or programme office staff to:

- Spend excessive time alone with children away from others
- Take children to your own home, especially where they will be alone with you

² For social workers and medical staff, sometimes the nature of the intervention means they are alone with children. It is their responsibility to ensure they have the proper supervision in these circumstances. They should still be able to explain their actions to PO staff if required.

³ Staff and volunteers would need to explain their actions if necessary.

- Smack or hit children
- Have a child/children to stay overnight at their home unsupervised
- Sleep in the same room or bed as a child

Volunteers and staff must never:

- Develop sexual relationships with children
- Develop relationships with children which could in any way be deemed exploitative or abusive
- Act in ways that may be abusive or may place a child at risk of abuse

Volunteers and staff must avoid actions or behaviour that could be construed as poor practice or potentially abusive.

For example they should never:

- Use language, make suggestions or offer advice which is inappropriate, offensive or abusive
- Behave physically in a manner which is inappropriate or sexually provocative towards a child
- Condone, or participate in, behaviour of children which is illegal, abusive or exposes the child to danger
- Act in ways intended to shame, humiliate, belittle or degrade

The guiding principle is that the protection of the child is always the overriding consideration.

5 REPORTING AND RESPONDING TO CONCERNS RAISED ABOUT VOLUNTEERS OR

Staff who are suspected of breaking the Child Protection Code of Conduct (CPCofC)

This section is to ensure that staff and volunteers are clear as to what steps to take if they believe that other volunteers or staff are breaking the CP Code of Conduct.

The guiding principle is that the protection of the child is always the overriding consideration.

No volunteer, staff member or partner will prejudice their own position or standing with Enterprise South Sudan by responsibly reporting someone who they believe is breaking the CPCoC. Responsible reporting is defined as being in accordance with this policy, the Enterprise South Sudan code of conduct, and the Volunteer Status Review guidelines. Responsible reporting also means that any person making a report should bear in mind that all concerns are allegations until they have been investigated. For this reason it is important for anyone raising a concern to strictly follow the reporting model set out below. In particular confidentiality is expected within the reporting chain.

Procedural guidelines

I **Volunteers** normally should discuss their concerns with their Programme Manager (PM) or immediate supervisor. Where volunteers or staff are unable or unwilling to do this they must raise their concerns with the Executive Director (ED).

Discussions should focus on

- Evidence that the code of conduct has been broken
- Risks to child/children
- Measures to safeguard children and minimise risk
- Action/next steps

Concerns should be reported as quickly as possible.

II **The ED**

Discussions should focus on

- An assessment of the reported concerns and support needs
- Whether, and at what stage, the Enterprise South Sudan staff should report the concerns to external bodies

- Appropriate response e.g. volunteer status review, staff disciplinary process, or urgent action if children are judged to be at risk.

The ED should feel able to consult and seek support from the PM at any stage of the process. The ED may seek advice from other colleagues as necessary.

III Making reports

- Any concerns, allegations or disclosures should be written down as soon as possible. Records should be signed and dated.
- Records should be detailed and precise focussing on what was said or 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 records should be treated as extremely confidential. They should be passed only to the persons specified in this reporting model. It is the responsibility of each individual in possession of the information to maintain confidentiality.
- However, it is very important that volunteers and staff never promise confidentiality. Volunteers and staff must make it clear that they are obliged to follow this policy and explain the possible outcomes that will result from information being given to them.
- In certain instances there will be the obligation for Enterprise South Sudan and its staff 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.

IV Responding to concerns

Responses will vary according to local conditions and the nature of the concerns. Local guidelines need to be drawn up that take into account Enterprise South Sudan's code of conduct and local laws and practices.

In order to protect children it may be necessary to take immediate action to ensure that the code is not broken again or further abuse cannot take place. Such action may require a volunteer to report to the Programme Office or for a staff member to be suspended.

The best interests of the child and the desire to secure the best outcomes for the child should always govern decisions regarding what action should be taken in response to concerns.

The two internal processes used to assess and decide on what action to be taken are the **Volunteer Status Review** and the **staff disciplinary process**. The purpose of these will be to establish facts and gather information about the alleged breach of the CP CofC. Please see the guidelines for these processes and use them alongside this paper.

There may be a need for an **internal investigation** to gather evidence. The ED will carry out this out with at least one other person, normally a programme manager and/or where appropriate, a representative of the employer. Where possible at least one member of the team should be female. The privacy of the person being investigated will be protected as far as is possible during the investigation and they will have the opportunity to have another volunteer or colleague present when interviewed should they so desire it.

Judicial processes - Some concerns may be so serious that they would have to be reported to local authorities and police. In these circumstances, based on local guidelines, Enterprise South Sudan will assess on a case by case basis what steps to take. If the concerns are reported to local authorities, staff will assist the authorities wherever possible but may also need to make arrangements,

possibly through the ED, for representation for the person who has had allegations made against them.

V Outcomes of the Status Review and staff disciplinary process

- **Finding:** Concerns about volunteer/staff member appear unfounded.
Outcome: volunteer status/employment continued, and no other action taken;
- **Finding:** There appear to be grounds for concern, but all or some of the following apply:
 - i there was insufficient hard evidence that the CP code of Conduct was breached
 - ii it is judged that the person acted in a naïve or inexperienced manner
 - iii the volunteer/staff member now realises the consequence/significance of their actions and regrets them and is willing to change
- **Outcome:** Volunteer status/employment continued but only as long as certain conditions are met. They will be asked to re-read the Enterprise South Sudan guidelines and code of conduct, seek clarification where necessary, and state in writing their understanding of it. They will be advised in writing that any further infringing of the code of conduct will result in the withdrawal of volunteer status/dismissal. For volunteers, a judgement will need to be made on whether to report this matter to the employer, if they have not been involved in the process thus far.
- **Finding:** The Code of Conduct has been breached and concerns appear valid.
- **Outcome:** Volunteer status is withdrawn and there is a requirement that they do not return to their placement alone nor have contact with children. A conclusion will also be reached concerning the need to report the incident or the conclusion of

the investigation to the employer and statutory authorities (see previous section.) Staff will suspended pending the completion of the disciplinary process.

The Ed will discuss the outcomes of the investigation with the Board and write a report.

Where the decision is made to withdraw a volunteer's status the withdrawal will usually be made with immediate effect.

Volunteers or staff investigated can lodge an appeal over the investigation conclusions. Given the guiding principle of child protection, appeals should be made within 7 days rather than the normal 14. A senior manager appointed by the ED will hear the appeal within 7 days.

VI Area Guidelines

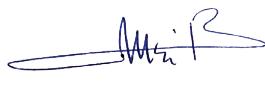
It is recognised that laws and practice concerning child abuse will vary between countries. In every programme office this policy should have an appendix under the following headings:

- the cultural context as it relates to child abuse – including prevalent attitudes, customs and norms, common forms of abuse within the country, agencies for change within the country
- the legal framework, statutory authorities and processes within the country that concern child abuse – including case law and compliance with the UN Convention on the Rights of the Child
- guidance on the procedures required for reporting child abuse within the area of operation.
- Local resources that can be used to prevent child abuse and inform staff and volunteers
- Expertise on child protection that could be consulted when necessary

Dr. Makena Kaburu
Chairperson BOD



Robert Bother
Treasury



James Keah
Secretary/ED



UNIDOR - SOUTH SUDAN

P.O. BOX 48719-00100 GPO NAIROBI
TEL: +211 917088006 | +211 927394926
+254 722304348
Juba, Nabari Kololo Road
Email: ed@unidorss.org
www.unidorss.org