

# **CHILD RESCUE KENYA**

## **Child Protection Policy**

### **INTRODUCTION**

The United Nation Convention on the Rights of the Child (UNCRC) declares that every child has the right to enjoy childhood. Although most countries (including Kenya) have ratified the UNCRC, not many countries enforce it and many of the world's children end up being exploited, abused and do not enjoy childhood. We have a common commitment to the prevention of abuse, provision of shelter, education for the development and protection of children and young people (CYP).

This policy sets our common values, principles and belief and describes the steps that will be taken in meeting our commitments to protect children and young people.

### **What the CPP Child protection Policy contains:-**

#### **Our commitment to protect children:-**

CHILD RESCUE KENYA values, principles and beliefs

- All children and young people (CYP) in distress and abandonment are having their rights violated.
- All CYP have equal rights to protection from abuse and exploitation.
- The situation of CYP must be improved through promotion of their rights as set out in the UN Conventions on the Rights of the Child.
- CYP abuse and exploitation is not acceptable
- We need to commit to protect children with / for whom we work.
- When we work through partners they have a responsibility to meet minimum standards of protection for children in their programs.

What we will do:-

CHILD RESCUE KENYA will meet our commitment to protect children from abuse, exploitation through the following means:-

#### **ORIENTATION:-**

We will ensure that staff, children, committee and stakeholders are oriented of the problems of abuse and risks to CYP. Necessary training and resource materials will be provided for this purpose.

#### **PREVENTION**

We will ensure through awareness and good practice that staff, children, committee and stakeholders are able to bring down the risk to CYP.

#### **REPORTING**

We will ensure that staff, children, committee and stakeholders are clear what steps to take where concerns arise regarding the safety of children.

## **RESPONDING**

We will ensure that action taken is to support, protect CYP and is in the “ best interest of the child”.

In order that the above standards of reporting and responding are met, members of CHILD RESCUE KENYA will also ensure that they:-

- Take seriously any concerns raised
- Take positive steps to ensure the protection of CYP who are the subjects of any concerns.
- Support children, staff or other adults who raise concerns or who are the subjects of concerns.
- Act appropriately and effectively in instigating or cooperating with any subsequent process of investigation
- Are guided through the child protection and participation process by the principle of the “child’s best interest”.
- Listen to and take seriously the views and wishes of CYP
- Work in partnership with parents / care givers and / or other professionals to ensure the protection of CYP.

### **How CHILD RESCUE KENYA will ensure our commitments, above are met:-**

All CHILD RESCUE KENYA staff (local and international) and trustees will sign and abide by the **Code of conduct**

- All partners will sign abide by the code of conduct
- All staff, visitors and volunteers will have access to a copy of the child protection policy
- The Child Protection Policy will be translated in the local language.
- The staff, volunteers, trustees and stakeholders will have no criminal record being associated with the CHILD RESCUE KENYA
- Recruitment procedure will include checks and suitability for working with young people
- Induction will include briefing on child protection issues.
- Once reported allegations will be dealt with using the established system
- If a staff, trustee, volunteer or visitor is found to be an abuser, he/she will be removed from the projects immediately and criminal proceedings followed if the abuse constitutes a criminal offence.
- Training, learning opportunities and support will be provided by CHILD RESCUE KENYA as appropriate to ensure commitments are met.

### **Recognising signs of abuse**

Recognising indications of potential abuse is complex and there is no simple checklist to allow easy recognition. There are potential warning signs that can alert you but they should be observed and assessed with care.

### **Possible signs of neglect**

- Frequent hunger
- Failure to grow
- Stealing or gorging food
- Poor personal hygiene

- Constant tiredness
- Inappropriate clothing
- Frequent lateness or non-attendance at school
- Untreated medical problems
- Low self-esteem
- Poor social relationships
- Compulsive stealing
- Drug or alcohol abuse

**Possible signs of emotional abuse:**

- Physical, mental and emotional development is delayed
- Highly anxious
- Self-injury or harming oneself
- Showing delayed speech or sudden speech disorder
- Fear of new situations
- Low self-esteem
- Inappropriate emotional responses to painful situations
- Extremes of passivity or aggression
- Drug or alcohol abuse
- Chronic running away
- Compulsive stealing
- Obsessions or phobias
- Sudden under-achievement or lack of concentration
- Attention seeking behaviour
- Persistent tiredness
- Lying

**Possible signs of sexual abuse:**

- Age inappropriate sexualized behaviour
- Physical indicators (general and in genital and anal areas)
- Behavioural indicators (general and sexual), which must be interpreted with regard to the individual child's level of functioning and development stage

**Possible signs of physical abuse:**

- Bruises, bumps, sprains, dislocations, bites, cuts
- Improbable excuses given to explain injuries
- Injuries that have not received medical attention
- Injuries that occur to the body in places, which are not normally exposed to, falls, rough games, etc.
- Repeated urinary infections or unexplained stomach pains
- Refusal to discuss injuries
- Withdrawal from physical contact
- Arms and legs kept covered
- Fear of returning home or of parents being contacted
- Showing wariness or distrust of adults
- Self-destructive tendencies
- Being aggressive towards others
- Being very passive and compliant
- Chronic running away

- Self-injury or harming oneself

### **Possible signs of concern regarding adult behaviour:**

- A person in whose presence a child or children becomes unusually distressed or agitated can be a cause for concern
- A member of staff, volunteer, or parent asking a child to lie is a cause for concern
- Any member of staff, volunteer, or parent who asks you to lie about a situation involving a child - particularly if that child looks distressed - is a cause for concern
- Any person who persistently fails to follow the organisation's Code of Conduct / behavioural protocols (detailed in the child protection policy) is a cause for concern, particularly if reasons are evasive

### **Allegations from a child - listening to a child's disclosure of abuse**

A Child Protection Officer should be appointed

All complaints of abuse of a child should be given to the Child Protection Officer of the organisation. The child who is victim can give by itself or the staff can facilitate the process. The Child Protection Officer (CPO) should regularly visit the projects, which concern children. If an emergency situation emerges, the children or the staff can call and ask the CPO to be present in the project immediately.

### **General points**

- Accept what the child says
- Keep calm
- Don't panic
- Don't seek help while the child is talking to you
- Be honest
- Look at the child directly
- Do not appear shocked
- Let them know that you need to tell someone else
- Assure them that they are not to blame for the abuse
- Never ask leading questions
- Try not to repeat the same questions to the child
- Never push for information
- Do not fill in words, finish their sentences, or make assumptions
- Be aware that the child may have been threatened
- Take proper steps to ensure the physical safety and psychological well being of the child. This may include referring them for medical treatment or to a psychologist
- Make certain you distinguish between what the child has actually said and the inferences you may have made.

Accuracy is paramount in this stage of the procedure

- Do not permit personal doubt to prevent you from reporting the allegation to the designated child protection officer
- Let the child know what you are going to do next and that you will let them know what happens

### **Things to say**

- Repeat the last few words in a questioning manner
- 'I believe you'
- 'I am going to try to help you'
- 'I will help you'

- 'I am glad that you told me'
- 'You are not to blame'

### **Things not to say**

- 'You should have told someone before'
- 'I can't believe it! I'm shocked!'
- 'Oh that explains a lot'
- 'No not...he's a friend of mine'
- 'I won't tell anyone else'
- 'Why? How? When? Where? Who?'

### **At the end of the disclosure**

- Reassure the child that it was right to tell you
- Let them know what you are going to do next
- Immediately seek help, in the first place from the designated child protection officer
- Write down accurately what the young person has told you. Sign and date your notes. Keep all notes in a secure place for an indefinite period. These are essential in helping your organization/ the Police decide what is best for the child, and as evidence if necessary
- Seek help for yourself if you feel you need support

### **CODE OF CONDUCT**

All CHILD RESCUE KENYA members and staff must sign up to and abide by this code of conduct

#### **Staff, volunteers, visitors and others must never: -**

1. Hit or otherwise physically assault, exploit or indulge in any kind of abuse to CYP
2. Develop physical and sexual relationship with CYP
3. Exploit the ignorance or innocence of CYP
4. Develop relationship with children, which could in any way be deemed exploitative or abusive
5. Act in ways that may be abusive or may place a child / young person at risk of abuse
6. Use language, make suggestions or offer advice, which is inappropriate, offensive or abusive
7. Behave physically in a manner, which is inappropriate or sexually provocative
8. Do things for children of a personal nature that they can do for themselves
9. Participate in behaviour of children which is illegal, unsafe or abusive
10. Act in ways intended to share, humiliate, belittle or degrade children or otherwise perpetrate any form of emotional abuse
11. Discriminate show differential treatment or favour particularly based on caste, religion or class.
12. When Children and Young People (CYP) are taken to excursions or tour, the safety and security of CYP lies with the staff and coordinator who accompany them. They will be responsible and all safety precautions shall be taken for the trip. Each staff that accompanies CYP shall be assigned with specific duties to care and act swiftly in situations.

This is not an exhaustive and exclusive list. The principles are that staff and others should avoid actions or behaviour, which may constitute poor practice or potentially abusive behaviour.

**It is important for all members, staff and others in contact with children to: -**

1. Be aware of situations, which may present risks and manage these
2. Plan and organise the work and the work place so as to minimize risks
3. As far as possible, be visible in working with children
4. Ensure that a culture of openness exists to enable any issues or concerns to be raised and discussed
5. Ensure that a sense of accountability exists between staff so that poor practice or potentially abusive behaviour does not go unchallenged
6. Talk to children about their contact with staff or others and encourage them to raise any concerns
7. Empower children – discuss with them their rights, what is acceptable and unacceptable and what they can do if there is a problem.

**Minimizing Risk Situations**

**NEVER**

- Condone or participate in behaviour that is illegal or unsafe

**TRY NOT TO**

- Be alone with a single child, including in the following situations: overnight, in your home, or the home of a child
- Show favoritism or spend excessive amounts of time with one child

**TRY TO**

- Avoid placing yourself in a compromising or vulnerable position
- Be accompanied by a second adult whenever possible
- Meet with a child in a central, public location whenever possible
- Immediately note, the circumstances of any situation which occurs which may be subject to misinterpretation by a third party
- Avoid doing something that could be misinterpreted by a third party

**Sexual Behaviour**

**NEVER**

- Develop physical/sexual relationships with a child
- Behave physically in a manner that is inappropriate or sexually provocative
- Engage in or allow sexually provocative games with children to take place
- Do things of a personal nature that a child could do for him/herself, including dressing, bathing, and grooming

**Physical Behaviour**

**NEVER**

- Hit or otherwise physically assault or physically abuse a child

**DO**

- Wait for appropriate physical contact such as holding hands, to be initiated by the child
- Ask permission from children before taking photographs of a child/children except under exceptional circumstances, based on the child/children's best interest, where this might not be possible or desirable

**Psychosocial Behaviour**

**DO**

- Be aware of the power balance between an adult and child, and avoid taking any advantage this may provide

## **DO NOT**

- Use language that will mentally or emotionally harm a child
- Suggest inappropriate behaviour or relations of any kind
- Act in any way that intends to embarrass, shame, humiliate or degrade a child
- Encourage any inappropriate attention seeking behaviour, such as tantrums by a child
- Show discrimination of race, culture, age, gender, disability, religion, sexuality, or political persuasion

## **Peer Abuse**

### **DO**

- Be aware of the potential for peer abuse
- Encourage CRK partners to develop special measures/supervision to protect younger and especially vulnerable children
- Avoid placing children in high-risk peer situations (eg. Unsupervised mixing of older and younger children)

### **DO NOT**

- Allow children to engage in sexually provocative games with each other

## **Physical Environment**

### **DO**

- Encourage partners to develop clear rules to address specific physical safety issues relative to the local physical environment of a project (eg. For projects based near water, heavy road traffic, railway lines)

## **Communications Guidelines**

Within its fundraising and publicity materials, CRK will sometimes be required to use text and imagery from its projects around the world. In so doing, it recognizes that it has a responsibility to the children that are portrayed. To this end, CRK looks on all children as human beings, who are the subject and receivers of human rights and will respect these rights at all times.

In communications about children, the following therefore, applies:

- Every child has a right to be accurately represented through both words and imagery. The organization's portrayal of each child must not be manipulated or sensationalized in any way, but provide a balanced depiction of their life and circumstances. Children must be presented as human beings with their own identity and dignity preserved.

### **CHILD RESCUE KENYA will avoid the following:**

- Language and images that could possibly degrade or victimize or shame children
- Making generalizations, which do not accurately reflect the nature of the situation
- Discrimination of any kind
- Taking pictures out of context (e.g. pictures should be accompanied by an explanatory caption where possible and should be relevant to any accompanying text).

- Where children are indeed victims, the preservation of the child's dignity must, nevertheless, be preserved at all times. The organization should attempt to depict a balance between victimisation and empowerment by using necessary tools, such as 'before' and 'after' shots.
- In images, children should not be depicted in any poses that could be interpreted as sexually provocative.
- Personal and physical information that could be used to identify the location of a child within a country and cause them to be put at risk will not be used on the organization's website or in any other form of communication for general or public purposes. Where it is necessary to use case studies to highlight the work of CRK, names of children will be changed.
- Permission will always be sought from the child/children themselves before taking photographs, except under exceptional circumstances, based on the child/children's best interests, where this may not be possible or desirable.
- To the greatest extent possible, the organization will acquire informed consent/the permission of the child, child's guardian and/or NGO responsible for the child, before using any image for publicity, fundraising, awareness raising or other purpose. The purpose should be made clear to the consent giver.
- As far as possible, people (including children) should be able to give their own accounts, rather than have people speak on their behalf. People's (including children's) ability to take responsibility and action for themselves should be highlighted.
- Information about a child/children's life and photographs of children (including information stored on the PC) will be kept in secure files. Access to these should be limited to those that need to use them during the course of their work.
- Individuals or organizations that request the use of CHILD RESCUE KENYA resources, such as photographs, will be required to sign an agreement with the organization as to the proper use of such materials. Suggested wording of this agreement is next:

## **DISCIPLINARY ACTION**

In case of violation of code of conduct or not abiding by the child protection policy, the staff and others will amount to disciplinary action.

All complaints of abuse of a child should be given to the CPO of the organisation. The child who is victim can give by itself or the staff can facilitate the process. The Child Protection & Participation Officer (CP&PO) should regularly visit the projects, which concern children. If an emergency situation emerges, the children or the staff can call and ask the CPO to be present in the project immediately.

- If an allegation of a violation of the policies, guidelines, principles or practice of child protection is made concerning a named individual from a verifiable source against any employee, contractor, trustee, officer, intern or volunteer, they may be suspended from all activity / association with the organization pending the outcome of an independent investigation. Staff will continue to receive full pay during this time.
- Depending on the outcome of the independent investigation: 'If it comes to light that anyone associated with [the organization] commits acts in relation to children -whether within or outside the context of [the organization's] work - which are criminal, grossly infringe children's rights, or



contravene the principles and standards contained in this document, the organization will take immediate disciplinary action and any other action which may be appropriate to the circumstances’.

This may mean, for example, for:

- Employees – warning /disciplinary action / dismissal
- Volunteers, trustees, officers and interns - ending the relationship with the organization
- Partners - withdrawal of funding / support
- Contractors - termination of contract
- ‘Depending on the nature, circumstances and location of the case, [the organization] will also consider involving authorities such as the police to ensure the protection of children and criminal prosecution where this is appropriate.
- The decision to suspend is not subject to challenge. When investigating and determining the concerns or complaints, the process should always be fair and any adverse determination should be open to challenge through an appeals process.

## **1. STAFF AND COMMITTEE**

The following procedures will be followed in this process:-

1. Complaint in writing will be asked from the CYP who is affected by the act. The complaint should not be on instigation
2. No complaint will be accepted from the co-staff or the field worker
3. The complaint can be given to the coordinator or to the Child Protection and Participation Officer (CP&PO) in the administration office by 3 days
4. An oral enquiry will be done by the co-coordinator or superior of the particular staff within three days of written complaint
5. Based on the enquiry, a report should be sent to the administration office by the coordinator / superior with in a week of enquiry.
6. With the allegation quoted, the CP&PO should ask for an explanation from the staff concerned (to attach a copy of the coordinators report), which should be done with in three days. The letter seeking explanation should be attached with an acknowledgement and in receipt of the letter the staff should sign the acknowledgement. No other person shall receive the letter.
7. A written explanation should be submitted to the administration office with in 10 days on receipt of allegation letter.
8. If the CP&PO is satisfied by the explanation, necessary action will be taken. If the explanation is unsatisfactory a personal enquiry will be done with the complainant and the staff. The panel will consist of the Project Director, Child Protection and Participation Officer (CP&PO), the Advocacy Officer (A.O) and the coordinator. Based on the personal enquiry necessary the panel will take action.
9. The decision taken by the panel will be sent to the Trust Board for final decision taken by the board.
10. In emergency situations, the panel will meet, enquire and decide on the complaint within 3 days and the panel decision has to be sent to the Trust Board for the approval.

## **2. VOLUNTEERS (both local and International) and VISITORS**

The following procedures will be followed in this process:-

1. Complaint in writing will be asked from the CYP who is affected by the act. The complaint should not be on instigation
2. The complaint can be given to the coordinator or to the CPO in the administration office by 3 days
3. An oral enquiry will be done by the co-coordinator or CPO to the particular person within three days of written complaint
4. If the CPO is satisfied by the enquiry, necessary action will be taken. If the enquiry is unsatisfactory; a personal enquiry will be done with the complainant and the concerned person. The panel will consist of the Project Director, CPO, and the coordinator. The unsuitability of the person will be explained and will be asked to leave the organisation.
5. The decision taken by the panel will be sent to the Trust Board for final decision taken by the board.
6. In emergency situations, the panel will meet, enquire and decide on the complaint within 3 days and the panel decision has to be sent to the Trust Board for the approval.

### **3. EMPLOYERS and GENERAL PUBLIC**

The following procedures will be followed in this process:-

1. Complaint in writing will be asked from the CYP who is affected by the act. The complaint should not be on instigation
2. The complaint will be given to the coordinator or to the Advocacy Officer (AO) in the administration office within 3 days.
3. An oral enquiry will be done by the Advocacy Officer within three days of written complaint
4. Necessary information will be collected and the case will be presented to the respective Child Welfare Committee (CWC) or police station for justice
5. Efforts will be taken to punish the person and bring justice to the Child and Young Person (CYP) affected.

### **EMERGENCY SITUATION**

- If your concerns involve immediate harm to a child, act without delay, as inaction may place the child in further danger.
- If you know any information about the maltreatment of a child, it is your responsibility to tell someone.
- 'In certain instances there will be the obligation for the organization and its staff, children, trustees and stakeholders 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.
- The responsibility for investigating allegations of child abuse in many countries rests with the Police Department. The organisation's designated child protection officer may seek legal advice, the advice of the Police in deciding whether a formal referral to the authorities is necessary. If it is decided that external reporting should not take place then there must be a clear rationale for that decision which should be recorded. The decision not to report in such circumstances should be unanimously approved by the relevant management personnel - e.g. Project Director, Child Protection Officer.

• Reports that are made maliciously or not in good faith shall warrant strict disciplinary action in line with the Child Protection Policy. The process leading to decision-making should be well documented and all facts or written allegations and responses kept on file. When a case is immediately dropped, the reasons for doing so shall be communicated to the person who reported the matter.

Statement:

I have read and fully understand this Child Protection Policy and agree to adhere strictly to all the provisions therein.

.....  
Name

.....  
Signature

.....  
Job Title

.....  
Date

.....  
Witness Name

.....  
Witness signature