

CHILD PROTECTION POLICY

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Responsible person:	Director CLS	Scheduled review date:	July 2015

Introduction

Chumkriel Language School (CLS) is obliged and committed to ensuring children involved with its programs are protected from any form of abuse.

Purpose

This policy is intended to provide guidelines to ensure children are not exposed to abuse, exploitation, violence or neglect and adults are protected from false accusation.

Policy

CLS is committed to:

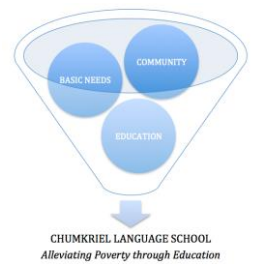
- the welfare of the child is paramount
- all children, whatever their age, culture, ability, gender, language, racial origin, religious belief and/or sexual identity should be able to participate a safe environment
- taking all reasonable steps to protect children from harm, discrimination and degrading treatment and to respect their rights, wishes and feelings
- all suspicions and allegations of poor practice or abuse will be taken seriously and responded to swiftly and appropriately
- all CLS employees who work with children will be recruited with regard to their suitability for that responsibility, and will be provided with guidance and/or training in good practice and child protection procedures

Authorisation

[Signature of Board Secretary]

[Date of approval by the Board]

Chumkriel Language School



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1. INTRODUCTION

Child abuse happens in all societies throughout the world. The child abusers can be anyone, including those who work and 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 principles, Chumkriel Language School (CLS) is obliged and committed to ensuring children involved with its programs are protected from any form of abuse.

2. DEFINITIONS

- 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. Forms of child abuse include:
 - Physical Abuse: this occurs when a person purposefully injures or threatens to injure a child. This abuse may include slapping, punching, shaking, kicking, burning, shoving or grabbing.
 - Emotional Abuse: this occurs when persistent ill treatment of a child affects their self-esteem. This may include name-calling, rejection, threatening, intimidating or any other acts which can effect the child's self esteem.
 - Neglect: this occurs when a child's basic needs have not been met and has a detrimental effect on the child's health and personal development. These basic need include food, clothing, shelter and supervision.
 - Sexual Abuse: occurs when there has been sexual exploitation of a child by an adult. Sexual abuse includes intercourse, fondling, oral sex, exhibitionism and exposing the child to pornography.
- *Child Protection Officer (CPO)* is the person responsible for communicating and implementing CLS's Child Protection Policy. The CPO is appointed and supervised by the Director of CLS.
- *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.
- *Management Team* is the CLS senior staff comprising the Director of CLS, Team Leader English Language Classes; Team Leader Learning Center; Team Leader Agricultural Project; Team Leader Administration/Finance.
- *CLS Associate* means all interns, volunteers, employees, prospective employees, counterparts, consultants, contractors, partner organization members, donors and visitors to CLS.

3. STATEMENT OF COMMITMENT

As an educational organization, CLS's first priority is the safety and well being of the children under its care. CLS 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: CLS's primary consideration is the best interests of the child and all decisions and actions concerning a child will serve the best interests of the child.

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

Participation and Self-Determination: CLS abides by the principle that a child has the right to have his or her views taken into account in major decisions affecting their life in accordance with their age and development. They will be given the opportunity to express their ideas and views and be heard on matters affecting them. CLS will 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.

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

CLS 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 CLS in any way and takes action against any CLS associate who commits child abuse.

To ensure the above commitment, CLS is committed to upholding:

- the UN Convention on the Rights of the Child.
- the Cambodian Constitution, especially articles 41 and 42 (appendix 11.1).
- the Cambodian current and future laws, rules and policies on child rights.
- the relevant laws of our main fundraising countries: Singapore and Australia.
- Positive traditional practice.

4. WHO THIS POLICY APPLIES TO AND RESPONSIBILITY FOR IMPLEMENTATION

This policy applies to all CLS associates.

The CPO under the supervision of the Director of CLS will be responsible for implementing the Child Protection Policy. The CPO is responsible to ensure that the Child Protection Policy is understood by all CLS associates and they all acknowledge their responsibilities of the policy.

CLS will:

- ensure the Child Protection Policy remains relevant and effective.

- consistently monitor all risks pertaining to the children and when needed make any necessary changes to the Child Protection Policy.
- review this Child Protection Policy annually.
- advise and assist all CLS associates in the implementation of the policy.

5. VISITORS TO CLS

- No visitor should be allowed onto CLS premises without prior permission of the CLS Director.
- CLS staff must monitor all visitors. No visitor should be left alone, with or without children when at CLS. Photography is only permitted with the approval of the Director and in accordance with the guidelines in section 9 below.

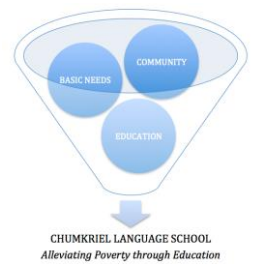
6. PERSONNEL RECRUITMENT, SCREENING AND ORIENTATION

- Advertisements for job vacancies will make it clear that CLS is committed to child protection and prospective employees' commitment to child protection must be a condition of employment.
- All prospective CLS associates will be informed of CLS's Child Protection Policy at the start of any recruiting process.
- Screening of applicants will include a written application, personal interviews, copy of passport/ID card, police checks and reference checks. During the interview process, applicants will be asked about previous work with children.
- Where permissible by local law, applicants for positions as a staff member or volunteer are required 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 permissible by law in their home countries.
- CLS reserves the right to terminate an employment contract if reference checks reveal that the person is not suitable to work with children or for any reason that may put children at risk.
- 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.

7. CODE OF CONDUCT FOR CLS ASSOCIATES

A Code of Conduct provides guidelines about appropriate and proper behavior for CLS associates when interacting with children in the care of CLS. They are primarily designed to protect children but are also intended to protect personnel from false accusations of inappropriate behavior or abuse.

- No child is to be taken on a motorbike, tuk-tuk or car without making prior arrangements with the Director or member of the Management Team.
- No child is to be taken to any CLS associate's home, guesthouse, hotel or accommodation.
- No CLS associate is permitted to socialize with the children outside the CLS premises apart from a "friendly hello".
- No presents of any kind are to be bought for the CLS children without prior arrangement



with the CLS Director or member of the Management Team.

- CLS associates must exhibit appropriate language, actions and relationships with children at all times. Extra care should be given to protecting the reputation of female children by ensuring that language and behavior at all times reflect appropriate male-female relationships, which are respectful of and in line with Cambodian culture and customs.
- Permission must be sought from a member of the Management Team for any contact with the children outside of CLS.
- CLS associates should not hire any of the CLS children to do domestic work or to perform other work without prior permission from the CLS Director. This is necessary to ensure the child's age and working conditions meet the criteria specified in the Mosaly Prakas (Cambodian Law) on Light Work for Minors and other relevant labor 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 labor laws and are subject to investigation for child abuse and/or exploitation.
- CLS must take extreme care when interacting with the children. Under no circumstance should any contact be or have the appearance of child abuse, as defined in section 2 of the policy.
- CLS personnel are responsible for their actions and reactions to children at all times. They might work with children who may 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 behavior and avoid being placed in a compromising or vulnerable position. Any advances of this nature should be immediately reported to the CPO or another member of the Management Team.
- 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 counseling session is warranted with a child, another adult must be within visual contact.
- Inappropriate conduct towards children, including failure to follow the behavior standards stated in this Policy are grounds for disciplinary action, up to and including dismissal from employment, or suspension from employment, police notification and legal action.

8. AWARENESS RAISING AND EDUCATION

- CLS is obliged to make all CLS associates aware of the issue of child protection and our Child Protection Policy.
- All CLS associates and local communities should be provided with the opportunity to learn about how to safeguard children, to recognize and respond to concerns about child abuse.
- When and where possible, children will be educated in self-protection from physical and sexual abuse. Children will be taught they have a right to do something if an adult or another young person behaves or talks to them in a manner that makes them feel uncomfortable or in danger, and to trust and act on their instincts.
- The CLS Director will initiate an open culture, encouraging opportunities for staff to raise concerns, to question, to discuss, to provide feedback, and learn about child protection issues. This will be done during staff meetings, through training and on other occasions.
- Appropriate literature such as help-line posters, leaflets regarding how to report an

incident and child-safe information will be made available to the CLS children. Regular training and awareness raising regarding child protection will take place with the children.

9. COMMUNICATIONS ABOUT AND PHOTOS OF CHILDREN

- All communications regarding CLS children will ensure that the protection, privacy, dignity and best interests of the child are paramount.
- The informed consent of the child and his/her parents or guardians should always be obtained before a recording, a photograph or an image is taken of the child and its intended use(s) explained. Where possible, the child and family should be shown the finished product before it is published.
- Children should be adequately clothed in photographs or images taken of them and not in poses that could be interpreted as sexually suggestive.
- The real names of especially vulnerable children should be changed and it should be indicated that they have been changed.
- Any photo taken at CLS or in the community CLS works with cannot be published without the written consent of the CLS Director. This includes the publishing of photos with children from CLS on social networking sites as permission of the parents must be obtained before a photo can be used.

10. REPORTING AND INVESTIGATING ABUSE OR SUSPECTED ABUSE

CLS takes child abuse very seriously. Child abuse in any form including physical, emotional or sexual abuse is a serious offence that threatens the wellbeing and reputation of the child, the accused CLS associates and of CLS itself. Any infringements of this type will be prosecuted to the full extent of the relevant law. Child abusers are not likely to remain in an environment where workers are trained to identify and report suspicious behavior. For these reasons, all personnel are responsible for reporting suspected child abuse or exploitation of any kind. Appendix 11.3 shows flowchart of process for reporting suspected abuse.

10.1 Reporting Suspected Abuse

- Any person who has knowledge of, suspects, or has witnessed a potential child abuse issue involving CLS associates should immediately contact the CPO or CLS Director.
- A report should be made immediately, but no later than within 24 hours, to allow for early intervention and a prompt investigation. This verbal report should be followed with a written and signed statement within a further 48 hours.
- Failure to report suspected child abuse or misconduct may result in disciplinary action.

10.2 Investigation of Reports of Suspected Abuse

- On receipt of the report, the CLS Director will notify the Chairman. The Chairman will immediately instigate an internal investigation by an appropriately qualified person or organization from outside CLS.
- Where a complaint involves any CLS associate, then the CLS Director will immediately suspend that associate, on full pay (where applicable), pending investigation. The associate will be informed an allegation has been made against him/her, supported appropriately and they will be given the opportunity to respond at the appropriate time.
- The rights and welfare of the child is of prime importance to CLS 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.

10.3 Response to Investigation Findings

- 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.
- In the event an allegation is proven to be untrue, or even fabricated, appropriate steps will be taken to 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 counseling or other appropriate forms of support
- If an event of child abuse is determined 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 counseling or any other form of assistance deemed necessary and appropriate.
- If the investigation concludes that child abuse has occurred which is not subject to criminal prosecution, staff will be subject to disciplinary action, including dismissal.
- If the investigation concludes that abuse has occurred which is subject to criminal prosecution according to relevant national laws, all findings will be reported to the relevant 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.
- In the event an associate is discharged for child abuse, CLS is obliged to disclose such information as requested by police, a prospective employer, etc. Such disclosures will be made in accordance with applicable law and/or customs.
- The media may become involved when a concern or allegation is raised within CLS. Only the CLS Director is authorized to liaise with the media.

11. APPENDICES

11.1 Royal Government of Cambodia Constitution Article 41 and Article 42

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.

11.2 Declaration by CLS Associate

DECLARATION BY CLS ASSOCIATE

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

I declare that I do not have any criminal record in relation to child abuse, neglect or exploitation and consent to Police criminal history checks.

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

Full Name
(Printed)

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.

11.3 Flowchart for reporting suspected incident

