

Action Lesotho Child Protection Policies

Note: this is essentially a child protection policy (i.e. for children under 18 years old) but all the policies also relate to young people over 18 and to vulnerable adults e.g. the sick & disabled.

Introduction

Action Lesotho aims to improve the lives of children and vulnerable adults. Children and other vulnerable people cannot be empowered to improve their lives and that of their families and communities if they are not safeguarded from abuse, discrimination and harm of any kind, be it physical, sexual, emotional or neglect. It is our moral and legal duty to protect the children and vulnerable adults with whom we work. Action Lesotho is fully committed to compliance with child protection legislation in Lesotho and Ireland, including adherence to the Children First: National Guidance for the Protection & Welfare of Children (2011) produced by the Department of Children & Youth Affairs in Ireland.¹

Definitions of abuse

• According to the **World Health Organisation**, “Child abuse” or “maltreatment” constitutes ‘all forms of physical and/or emotional ill-treatment, sexual abuse, neglect or negligent treatment or commercial or other exploitation, resulting in actual or potential harm to the child’s health, survival, development or dignity in the context of a relationship of responsibility, trust or power.’

There are four main types of cruelty:

- o **Physical abuse:** including hurting or injuring, inflicting pain, poisoning, etc.
- o **Sexual abuse:** including direct or indirect sexual exploitation or corruption of children or vulnerable adults by involving them (or threatening to involve them) or exposing them to inappropriate sexual activities.
- o **Emotional abuse:** repeatedly rejecting children or vulnerable adults, humiliating them or denying their worth and rights as human beings.
- o **Neglect:** the persistent lack of appropriate care of children or vulnerable adults, including love, safety, nourishment, warmth, education, and medical attention. Note: Discrimination, harassment, and bullying are also abusive and can harm a child or vulnerable adult, both physically and emotionally.

Child protection

'Child Protection' is a broad term to describe philosophies, policies, standards, guidelines and procedures to protect children from both intentional and unintentional harm. In the current context, it applies particularly to the duty of Action Lesotho – and individuals associated with Action Lesotho – towards children (and other vulnerable people) with whom we work.

Types of Contact with Children & Vulnerable Adults

Direct contact

In terms of Action Lesotho's work this could involve project/site visits, teaching children, helping at the Youth Development Programme or assisting with home visits to children & vulnerable adults on the Malimpho Programme. Contact may be occasional or regular, short or long term.

Indirect contact with children

- 1) Having access to information on children in the context of Action Lesotho’s work, such as children’s names, locations (addresses of individuals or projects), photographs and case studies.
- 2) Providing funding for organisations that work ‘directly’ with children. Albeit indirectly, this nonetheless has an impact on children, and therefore confers upon the donor organisation

¹ <http://www.dcy.gov.ie/documents/Publications/ChildrenFirst.pdf>

responsibility for child protection issues. [N.B. this list of examples is not exhaustive].

Action Lesotho's child protection principles and values

- **The legal basis** – our Child Protection Policy is firmly based on the principles of the UN Convention on the Rights of the Child. This provides a comprehensive framework for the protection, provision and participation of all children without discrimination to ensure their survival and development to the maximum extent possible.
- **The moral basis** – The welfare of children is of paramount importance. Action Lesotho works mainly with orphans & vulnerable children (OVCs) and vulnerable adults and we have an absolute duty to protect these already vulnerable groups from abuse, mistreatment, and exploitation from within organisations such as ourselves & our partners which are intended for their benefit.
- **An end to silence:** Silence breeds abuse and exploitation of children. Paedophiles will seek out organisations with weak communication structures and thrive where secrecy and shame prevail. Furthermore, without proper policies and explicit procedures in place, NGOs are extremely vulnerable to false allegations of child abuse.

Action Lesotho therefore believes in:

- o creating an environment where issues of child protection are discussed openly and are understood between children and adults;
- o promoting open lines of communication both internally and externally within and between organisations to improve awareness and implementation of child protection policies and practices;
- o creating a framework to deal openly, consistently and fairly with allegations concerning both direct and indirect abuse.

- **Children's participation** – Creating an atmosphere where children feel able and willing to speak out about abuse, free from abusers, empowers them to become actors in their own protection without further discrimination or shame.
- **Taking it further:** Child protection is not just about reading and signing a piece of paper: the policy sets out guidelines and standards that must be put into practice. These include, amongst other measures: recruitment procedures, review of management structures, creation of a space for children to speak out, staff training, and development of transparent protocols.
- **Challenging complacency:** Resistance to addressing child protection issues may come from lack of understanding of the nature of child abuse, lack of commitment to the organisation/programme, and a sense that child abuse happens elsewhere. Organisations should ask themselves: "If safety and well being of children are not at the centre of the organisation's programme/activities, then why not?" "It is unfortunate and unacceptable that it will take an horrendous incident to shock some organisations into action" [See ECPAT Australia, Choose with Care, p.34.]

3. The need for a Child Protection Policy

'Any international NGO should have a Child Protection Policy if its direct or indirect beneficiaries include individuals under the age of 18' [Setting the Standard: A common approach to Child Protection for international NGOs, Standard 1 (Policy).]

- It is the duty of Action Lesotho to ensure that the promotion of children's rights includes specifically protecting children from accidental harm as well as deliberate abuse within organisations intended for their benefit. This policy will assist in fulfilling this duty.
- OVCs are especially vulnerable to abuse, exploitation, and ill-treatment at the hands the adults to whom they come in contact with.
- Organisations working with vulnerable children have been, are and will continue to be vulnerable to harbouring abuse until the issues are brought into the open.
- Organisations without protection policies, guidelines and systems are more vulnerable to false or malicious accusations of abuse.
- Without proper policies, guidelines and procedures in place, allegations of abuse, whether founded or unfounded, can destroy an organisation's reputation. .

4. The Action Lesotho Child Protection Policy

Staff and Personnel

As a condition of working with our organisation any of our staff, volunteers and Board Members must abide by the following:

1. Both acceptance of and commitment to our Child Protection Policy and Code of Conduct for working with children. Personnel must sign to say they have read and agreed to the policy.
2. Signing a personal declaration stating any criminal convictions, including spent convictions.
3. Providing the name and contact information of two character references they have known for no less than two years, excluding family members.
4. Police/Garda Clearance for all staff and any volunteers/consultants/directors working directly with children. Note: at present full Garda Clearance is not being obtained for all volunteers coming from Ireland due to the length of time taken to obtain clearance.

Management

Limakatso Rantsoa is our designated Child Protection Officer and she is responsible for the day-to-day implementation, supervision and monitoring of the Child Protection Policy in Lesotho. The disclosure of personal information about children, including legal cases, will be limited to those employees, contractors, directors, officers and volunteers who need to know. The Board of Directors will have the overall responsibility to oversee and ensure the policy's implementation.

Training and Education

Training and education are essential to implementing the Child Protection Policy. Limakatso Rantsoa will ensure that orientation training about the Child Protection Policy is given to all staff and personnel, which will include training on behaviour guidelines for those in direct contact with children, and guidance on the acceptable and unacceptable sharing of information on children. Opportunities for staff to learn about, recognise and respond to child abuse will also be available to all representatives.

Communications about Children (see Dochas Code^{2,3})

All publications, the website and Facebook page that may include images and text related to children will not contain the following:

- Manipulated or sensationalised text and/or images
 - Discriminatory and degrading language
 - Images in which children are inappropriately clothed
 - Information that could be used to identify the location of the child and cause them to be put at risk
 - Photos of children that will be included on the website or any of our publications must be taken with the child's verbal permission.
- In addition, all information relating to children is limited to those members of staff who need to know and will be treated as confidential.

Reporting Incidents

All witnessed, suspected or alleged violations of the Child Protection Policy will be immediately reported to the designated Child Protection Officer, who will record and act on these in a confidential manner in accordance with the standardised process developed by Action Lesotho and the best interests of the child. Action Lesotho will take appropriate action to protect the child/children in question from further harm and others in the organisation during and following an incident or allegation. The relevant contact details for child protection services, local social services department, police and emergency medical help will also be readily available and easily accessible.

Ramifications of Misconduct

We will immediately suspend any employee, adviser, consultant, trustee, intern or volunteer who is alleged to have violated the Child Protection Policy, pending the outcome of an investigation. Action Lesotho reserves the right to take any disciplinary action against any of the above who have been proven guilty in an investigation, which may include reporting the incident to the police

Notes:

- 1) *This policy is largely based on the Child Protection Policy of Child-to-Child <http://www.child-to-child.org>, the Dochas Code of Conduct on Images (see footnotes) and the Irish Governments' s Children First guidance <http://www.dcy.gov.ie/documents/Publications/ChildrenFirst.pdf>*
- 2) *This policy, should be read in conjunction with the child protection policies developed within Lesotho for each of our projects and partner-led projects (e.g. Ferrando Resource Centre).*
- 3) **Last updated: September 2014**

² http://www.dochas.ie/Shared/Files/5/Images_and_Messages.pdf

³ http://www.dochas.ie/Shared/Files/5/Guide_to_Code.pdf

Action Lesotho Child Protection Code of Conduct

This Code of Conduct includes guidance on appropriate and expected standards of behaviour of adults towards children, and also of children towards other children. It has been developed with the best interests of the child as the primary consideration and should be interpreted in a spirit of transparency and common sense.

Appropriate Standards of Behaviour

Adults should:

- Provide an enabling environment for children's personal, physical, social, emotional, moral and intellectual development.
- Encourage and respect children's voices and views.
- Be inclusive and involve all children without selection or exclusion on the basis of gender, disability, ethnicity, religion, sexual orientation or any other status.
- Be aware of the potential for peer abuse (e.g. children bullying, discriminating against, victimising or abusing children).
- Develop special measures/supervision to protect younger and especially vulnerable children from peer and adult abuse.
- Be aware of high-risk peer situations (e.g. unsupervised mixing of older and younger children and possibilities of discrimination against minors).
- Develop clear rules to address specific physical safety issues relative to the local physical environment of a project (e.g. for projects based near busy roads or dangerous structures).
- Avoid placing yourself in a compromising or vulnerable position when meeting with children (e.g. being alone with a child in any circumstances which might potentially be questioned by others).
- Meet with a child in a central, public location whenever possible.
- Immediately report the circumstances of any situation which occurs which may be subject to misinterpretation to the designated Child Protection Officer.
- Report suspected or alleged abuse to the designated Child Protection Officer.

Inappropriate Standards of Behaviour

Adults should not:

- Hit or otherwise physically assault a child.
- Use language that will mentally or emotionally abuse any child.
- Act in any way that intends to embarrass, shame, humiliate, or degrade a child.
- Show discrimination of race, culture, age, gender, disability, religion, sexuality, political persuasion or any other status.
- Develop a sexual relationship with a child.
- Kiss, hug, fondle, rub, or touch a child in an inappropriate or culturally insensitive way.
- Do things of a personal nature that a child could do for him/herself, including dressing, bathing, and grooming.
- Encourage any crushes by a child.
- Initiate physical contact (e.g. holding hands) unless initiated by the child.
- Suggest inappropriate behaviour or relations of any kind.
- Allow children to engage in sexually provocative games with each other.
- Stand aside when they see inappropriate actions inflicted by children on other children because it is frequent and commonplace.
- Take photographs of children without their permission (see Dochas Guidelines)