

# CHILD PROTECTION POLICY

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## **ACRONYMS**

CPO

Child Protection Officer

CPCs

Child Protection Committees

CPP

Child Protection Policy

PSWO

Probation and Social Welfare Officer

UCRNN

Uganda Children's Right NGO Network

ANPPCAN

African Network for the prevention and protection against child abuse and Neglect

UNICEF

United Nations Children's Fund

CSOs

Civil Society Organisations

CFPUs

Children and Family Protection Units

OVC

Orphans and other Vulnerable Children

## **SECTION 1.0            POLICY STATEMENT**

Banda children's ministry fully recognizes its responsibilities for child protection and believes that a violate-free childhood is fundamental to the development process of every child.

The existence of a good regulatory framework both at Organizational and national level provides a sound structure under which Orphan Children In Action can absolutely embrace child protection. It is committed to upholding the principles of children's rights in the implementation of its daily activities. Its child protection approach encompasses the following elements:

1. Accountability;
2. Responsiveness to children's needs;
3. Participation;
4. Confidentiality;
5. Non discriminatory;
6. Partnering and networking;
7. Rule of law.

## **SECTION 1.1            PRINCIPLES**

The Orphan Children In Action Protection policy is designed with an overall goal of full realization of the rights of children. It is based on the UN Charter on the rights of children, 1989; the African Charter on the rights and welfare of children, 1990; and the Uganda Children's Act, 2000; and their respective provisions for the rights of all children. This policy seeks to ensure that the implementation of child protection is characterized by confidentiality and equal rights to all children especially the disadvantaged.

**The six main elements to our policy are to:**

1. Establish and maintain procedures for preventing, identifying, and managing cases of child abuse;
2. Ensure that Orphan Children In Action staff members understand and apply the child protection policy
3. Make members of Orphan Children In Action and those involved with the child protection aware of how information on irregularities will be handled, with zero tolerance for children abusers, as well as of the related means of redress.
4. Ensure we practice safe recruitment in checking the suitability of staff and volunteers to work with children
5. Raise awareness of child protection issues and equip children with the life skills needed to keep them safe

6. Support children who have been abused and their families in accordance with the agreed child protection plan

## **SECTION 2.0 APPLICATION**

The Child Protection policy represents the standards of Banda children ministry in all dealings with children in conjunction with the Orphan Children In Action's other policies.

The policy shall be binding to all staff, volunteers, contractors, visitors, interns, parents and guardians of the supported and non-supported Orphan Children In Action, partner organizations and schools working with the organization. The implementation of this policy shall play a key role in protecting children, staff of the organization and protecting the organization.

1. Establish and maintain an environment where children feel secure, are encouraged to talk, and are listened to.
2. Ensure children know that there are people in the organization whom they can approach if they are worried
3. Sensitize children to develop the skills they need to recognize and stay safe from abuse.

### **Section 2.1 Definitions**

Child protection according to UNICEF, it refers to the preventing and responding to violence, exploitation and abuse against children-including commercial sexual exploitation, trafficking, child labour and harmful traditional practices, such as female genital mutilation/cutting and child marriage.

The policy also targets other children who are uniquely vulnerable to these abuses such as those in child headed families and in conflict with law

A child: Any person below the age of 18 years.

A right: Is what any person, child or adult is entitled to legally and morally

Child Abuse: Sincerely speaking, child abuse involves an adult harming a child. The abuse usually occurs when someone does something hurtful/harming or by not doing or providing something for the wellbeing or protection of a child.

## **Section 2.2 Forms of Child Abuse**

**Physical Abuse:** When a child's body is injured through punching, biting, beating, shaking, child sacrifice, burning or any other overt harm. This form is usually seen with bruises, broken bones and swellings.

Quite often people ask whether physical punishment is child abuse, which at times proves to be a hard question. However, the truth behind it all remains, that even what is referred to as physical punishment varies, it can be beyond a minor bruising to death.

Everyone should therefore pose a question whether what he/she is doing to the child is what they deserve?

**Emotional /Psychological abuse:** When a child's esteem, confidence or worth is deemed useless/not recognized by someone through their behavior to the child. It involves a number of components ranging from criticisms, undermining, blames, withdraws of affection, teasing/bullying, nicknaming, lack of motivation, discrimination and stigma for HIV/AIDS infected children

**Gross Neglect:** This in most cases refers to failure by parents/guardians to provide the basic needs to a child, for example food, shelter, clothing, education, healthcare, adequate supervision and guidance, love and affection and any other necessities of life

**Child labor:** This refers to any activities/work either for pay or free that is hazardous by nature and the circumstances under which they are performed/ operated. Such works that endanger the health, safety or morals of the child, for example

- Domestic work/service by children, house-boys/girls
- Commercial sex exploitation
- Self employment, hawkers, scrap dealers etc.
- Children in commercial agriculture and other private sector entities

**Note:** Child appropriate work is mainly helping with cooking food, fetching water and fire wood, digging, house- work, making laundry should be encouraged through good supervision to prepare them for their adulthood.

The above underlined activities should not however be performed by a child at the expense of his/her rights like education, playing ,leisure and association with fellow age mates

**Sexual Abuse:** This involves an adult engaging a child in any sexual act/inducement. It includes sexual suggestions, exhibitionism, wrong touches and penetration of the child's private parts (genital or anal areas), masturbation, oral sex and defilement. The common examples of sexual abuse include defilement, incest, sexual harassment and forced early marriages.

### **Section 3.0 Staff Code of Conduct**

All categories of people to which this policy apply shall have to abide to the Orphan Children In Action guidelines on how to interact with children. Below is the code of conduct:-

1. Should always be considerate as to the language and tone of voice used when communicating to children.
2. Should never engage with children in games of aggression or sexual nature.
3. Should never invade a child's privacy or make an unnecessary physical contact with a child or group of children.
4. Should never be alone with any child or group of children without any clear agenda.
5. Should not spend excessive amounts of time with any child or group of children.
6. The safety of the children is everyone's responsibility.

If something suspicious is noticed, such as a Orphan Children In Action team member is taking a particular interest in or is walking away with a child you should report it to your immediate supervisor, Child Protection officer or any person in the Orphan Children In Action management immediately.

7. Should never make undignified comments or gestures to or about any child
8. Should always seek permission from a child's parent or guardian before taking photographs.

### **Section 3.1 Safe staff recruitment practice**

All those seeking for a position with Orphan Children In Action professional or voluntary which may involve coming into contact with children, will be subjected to a full enhanced scrutiny and disclosure with the Criminal Investigation Department at a police station or Interpol

**The following shall be required at all time during recruitment by concerned authorities;**

- a) Local council 1 introductory letter
- b) At least three referees, not relatives
- c) Certificate of Good conduct or its Equivalence

- d) Local Police Station letter
- e) A recommendation letter from the former employer
- f) All staff members interacting with children shall at all times be monitored
- g) Written and oral interviews with other appropriate assessment procedures shall be maintained before any recruitment

### **Section 3.2 Orientation of New staff to the policy**

The Child Protection Committee shall endeavor to orient the new Orphan Children In Action staff member/s to the policy as done with other policies of the organization before prior to his/her confirmation

### **Section 4.0 Roles and responsibilities of the Child Protection Officer (CPO)**

- a. To liaise with the Vice Chairpersons in the areas of operation to promote Child protection
- b. Presides over the child Protection committee meetings
- c. Updating the child protection Committee and other stakeholders about child protection issues in the organization/institution
- d. Follow up on all child abuse cases reported
- e. Develop strategies to disseminate child protection information within Orphan Children In Action areas of operation/partners
- f. Keeping with utmost confidence the Child Protection documents at all times
- g. Ensure that partners and community have an understanding of the responsibility of Orphan Children In Action and its staff for child protection by sensitizing them about its set out obligations
- h. Develop effective links with relevant Organizations and cooperate as required with their enquiries regarding child protection matters, including attendance at case conferences
- i. Ensure every member of staff (including temporary and volunteers) and governing body is familiar with the designated person responsible for child protection
- j. Ensure all staff and volunteers understand their responsibilities in being alert to the signs of abuse and responsibility for referring any concerns to the designated person responsible for child protection in Orphan Children In Action
- k. Keep written records of concerns about children, even where there is no need to refer the matter immediately with utmost confidentiality



#### **Section 4.1 Roles of the Child Protection Committee (CPC)**

- a. Oversee the Child Protection in Orphan Children In Action
- b. Advise the CPO officer accordingly
- c. Decide on any developments in the CPP
- d. Shall develop budgets and work plans for Orphan Children In Action child protection unit

#### **4.2 Steps/penalties to Ocia Children Child Abusers**

- In cases of minor forms of abuse, the suspect shall be given one verbal warning to adjust the situation and provide the necessities to the child or children before forwarding the case to the Local Council of the area. Otherwise, the case shall be forwarded to police for further action
- Defilement, drug and substance abuse, child trafficking/kidnapping, sexual exploitation/harassment, Female Genital mutilations and molesting shall require no warning what so ever
- Orphan Children In Action shall use the law enforcing structures in the community to apprehend the suspect
- If a staff member/employee is found guilty of abusing a child, at the office premises or anywhere in the community, their contracts will unquestionably be terminated.

#### **Section 5.0 Allegations of Child Abuse amongst Ocia Organisation staff and other partners**

- a. All allegations of child abuse whether in Orphan Children In Action or otherwise shall be taken serious and all appropriate steps shall be followed to collaborate with the statutory and voluntary agencies in conducting investigations.
- b. If a Orphan Children In Action staff or volunteer is suspected, they will be given one warning and if the case is repeated, the suspect is suspended from work for as long as investigations are on to enable inquiries
- c. Forced and unpaid leave shall be given to the staff suspected of child abuse

**Note:** Investigations shall be carried forward even if work with Orphan Children In Action ceases. If found guilty, then he/she shall face the law

#### **Section 5.1 Protocol for handling a child or children suspected to be victims of abuse**

1. Be friendly to the child or children so as to win their complete trust for them to be able to confide in you

2. Do not be judgmental of their situation or actions instead, give them assurance that they are not to blame
3. Inform the parent/ Guardian of the abuse/suspicion if he/she is not the offender
4. Orient the Abused/ child suspected to be abused the importance of reporting such cases
5. Take immediate action for the child to have trust in you 6. Ensure the child gets appropriate and adequate counseling from OCIA counselor

### **Section 5.2 Steps after physical harm or sexual abuse**

- Do not bathe the child or wash the clothes they were wearing at the time of abuse
- Report to the nearest police who will refer to the surgeon.
- Ensure the child is examined by the recommended police surgeon as soon as possible but within 72 hours after the incident. A form shall be filled by the police surgeon who can also testify in court. Return that form to police.
- Ensure the child gets medical treatment and counseling services
- Ensure you adequately prepare them for the court sessions.
- Work with the local council and the police to trace the abuser
- Psycho-social support be given to the victim by a qualified counselor
- Abused child must be prepared for court by OCIA Counselor or any qualified counselor

### **Section 5.3 Guidelines for staff/employees/volunteers**

The policy also seeks to value and protect the dignity of the staff/employees herein underlined

- In the event that children are engaged in the residential activity, hostels should be strictly separated by sex and ages
- No staff/volunteer/institution shall keep the child/children without police or local council mandate backed up by the relevant documents
- No adult shall sleep in the same room/beds as a child with whom they are working
- No staff shall have a child/children with whom they are working to stay overnight or for extra ordinary hours in their homes unless supervised
- All staff should be aware of situations that may be seen or taken as being very risky in regard to child abuse
- All staff and anyone interacting with children should ensure that openness is encouraged to enable any issues or concerns raised by children

- Permission for photos and filming should be sought before any of the two is taken from the guardian/caretaker. Always work from visible or open environment to others when dealing with children
- No eats/drinks shall be given to a child/children without prior permission from the management

### **Section 5.3 Referrals**

Orphan Children In Action shall follow the procedures set out by the government of Uganda in the children's act and take account of guidance issued by the Uganda Children's Rights NGO network (UCRNN) to;

- a. Ensure we have a designated person for child protection who has received appropriate training and support for this role.
- b. Ensure we have a nominated committee responsible for child protection. This committee shall be comprised of four members of the organization.
- c. Develop and then follow procedures where an allegation is made against a member of staff or volunteer
- d. Ensure safe recruitment practices are always followed.

Orphan Children In Action shall offer psycho social support to such children with the help of the counselor and the Child Protection Officer, CP Committee and Orphan Children In Action Management

Orphan Children In Action shall liaise with other child activist CSOs and government organs to promote child rights; such as African Network for the prevention and protection against child abuse and Neglect (ANPPCAN), Local Police stations – desk of family and children welfare, Wakiso District Probation and Welfare Officer.

### **Section 6.0 OCIA Child Abuse reporting procedure**

- The Child protection officer shall receive cases from children, staff, partners and community
- The case/s shall be presented to the Child Protection committee if required
- The Child Protection Officer shall report the case/s to the management and get a cover letter
- The case/s shall be reported to the Local council and a LC1 letter shall be given
- The case/s shall be reported to police that shall process the required back up documents to take the case/s to higher authorities/courts of law
- The Child Protection officer shall inform the Probation officer about such a case/s with the help of the police and LC1 letter

## **7 .OCIA reporting Hierarchy**

Stakeholders

Child Protection Committee

Child Protection Officer

Project coordinator

Management/Country Director

Orphan Children In Action staff, children and stakeholders

Orphan Children In Action /Health centers/ Hospitals

Parents/ guardians

Schools

Religious institutions

OVC Organizations

Town/ Local Councils

Police

Probation office, Wakiso

District Health Office

## **8 Section 6.1 Monitoring and Evaluating the CPP**

OCIA shall develop user friendly monitoring tools to assist in capturing information regarding child protection matters. These tools shall be in line with plan agreed upon in the organisation. Periodical reports shall be written and submitted to management and stakeholders on quarterly, semi-annual and annual basis.

### **Who will be involved?**

Monitoring will begin at community level where many of the child abuse cases take place. We will work with Local councils, CSOs and community structures to ensure this program is well implemented. We will also closely cooperate with the Probation and Welfare office– Wakiso District and Jinja districts to monitor and support in the follow up of child abuse cases in the local communities.

The Child Protection Officer will take the lead in reporting and following up on Child Protection issues with support of the Child Protection committees, partner CSOs, schools and the local community.

Evaluation shall be done on quarterly basis in a meeting with staff and all the stakeholders at various levels. In these meetings, review of progress and decisions to improve the program shall be decided and documented

### **Addendum**

All OCIA staff, volunteers, contractors, interns, partner organizations and schools must sign up to this policy. Failure to do so will result in partnership being reviewed and possibly termination.

All signed up partners must show that they are taking possible steps to ensure all aspects of the policy are undertaken

### **Section 6.2 Review of the Child Protection Policy**

The Child Protection Policy shall be reviewed by all the signed up stakeholders annually, through a policy review meeting.

However, OCIA management together with the help of the CPCs shall make any relevant changes whenever need arises to see that the policy suits the prevailing demands at a time and then inform the stakeholders of such changes as soon as possible

## **9Annexes**

### **Section 6.3 Contents of an Incident Reporting report**

1. Name of the abused child
2. Child's age and sex
3. Date when the incident occurred
4. Time when the incident occurred and reported
5. The location (describe the location/scene of abuse)
6. Nature of abuse (describe)
7. Describe instruments used
8. Estimate the duration of abuse
9. Number of children abused
10. Age / sex of the perpetrator
11. Relationship to the victim
12. Nationality/tribe
13. Number of times the same case has been reported before
14. Referring organization/institution
15. Receiving organization/institution

- 16. Name and age of person reporting
- 17. Indicate your role as a person reporting

**Action taken**

Person involved & phone contact

Police (Name):

Child Protection Office(Name)

Local Council (Name):

Partner Organisation/s( Name):

Others (Name):

**PART G: EFFECTS AFTER INCIDENT**

List all effects as a result of abuse on the victim both permanent and temporary (state, if any)

- a. Physical effects
- b. Emotional effects
- c. Social effects

Form compiled by

Kagimu Enock

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**Section 6.6 References**

- 1. The Children Act, Chapter .59
- 2. UN Convention on the Rights of the Child
- 3. The African Charter on the Rights and Welfare of the Child, 2009
- 4. National Policy and Strategy for Orphans and other Vulnerable Children, June 2006
- 5. Penal code Act, Cap, 120

**Section 6.7 MEMORANDUMS OF UNDERSTANDING**

The Memorandum of Understanding is made between OCIA , a nonprofit organization registered with Wakiso,.We operate within the areas of Wakiso, Kawempe, Nabweru and Jinja Sub-counties, Wakiso and Nansana Town Councils

AND

.....

.....

.....

And that both parties shall have a common interest in promoting, protecting and upholding the child rights amongst the Ugandan children between 0-18 years of age with effect from the day of signing this child protection policy

That both parties shall abide and conform to the professional standards set out by the constitution of the Republic of Uganda (Children’s Act, Cap 59) and exhibit the high levels of professionalism in executing their duties and responsibilities. The partnership agreement and the contents therein shall still serve both parties; any other raising concerns shall be presented at least in an annual review of the policy. Any party shall have the right however to terminate /dissolve the partnership but after being in service for at least a year by serving a notice of termination for at least 2 months.

## **SECTION A: COMMITMENT OF ORPHAN CHILDREN IN ACTION**

- a. The OCIA shall conduct child protection workshops/outreaches in your school /organization
  - b. That OCIA shall provide child protection awareness materials to promote child rights
  - c. OCIA shall follow up on all reported child abuse and Gender Based cases from your organization /institution
  - d. OCIA Child protection officer or any member of OCIA child protection committee shall always interact with your organization/institution on issues regarding child protection and GBV
  - e. OCIA shall refer the required cases of child abuse and GBV to partners fit to handle such cases
- 
1. No table of contents entries found. The school/organization shall provide at least one staff who shall co-ordinate the child protection issues, that shall include but not limited to, corporal punishment, sexual abuse, bullying and discrimination
  2. The school/organization shall endeavor to stop the application/use of corporal punishments and resort to alternative ways of discipline children. The school/organization shall develop a roadmap to achieve the above
  3. The school/organization shall always communicate through the appropriate channels for any information regarding child rights and Gender Based issues
  4. The school/organization shall at all times keep track of child abuse cases reported by opening up a child protection file with proper documented

I/we the under signed hereby acknowledge receipt of a copy of Orphan Children In Action Child Protection policy which i/we have read, understood and signed. I/we agree to abide by the terms and conditions stated therein. And I pledge to take the necessary steps leadings my institution/organization to having best practices with the rights based approach