

May 2014

Approved by the Committee for World Service in June 2014

Child Protection Policy



THE
LUTHERAN
WORLD
FEDERATION

Department
for World Service

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1. INTRODUCTION

As stipulated in the UN Convention on the Rights of the Child (UNCRC), all children have the right to protection from all forms of violence, injury or abuse, neglect, maltreatment or exploitation, including sexual abuse and exploitation.¹

However, children throughout the world living in any socio-economic context are at risk of child abuse and exploitation. In emergency situations, when they become part of a displaced or traumatized population, there is an increased likelihood of abuse or neglect due to the widespread deprivation and distress. Many children suffer a double displacement - loss of community and loss of family - as they are separated from their parents or become orphaned. Such children are particularly susceptible to abuse or exploitation from strangers, family friends or even distant relatives. Examples of this include sexual assault, harassment resulting in physical or psychological harm, exploitation of vulnerability, forced labor and human trafficking.

While most child abuse occurs within families and communities, children also experience abuse and exploitation within organizations intended to provide them with support and services.

The Lutheran World Federation (LWF) and its Department for World Service are dedicated to promoting children's rights and ensuring that their welfare and physical security are recognized, safeguarded and protected in accordance with international standards. Child protection is a central and fundamental aspect of overall accountability towards affected populations and primary focus groups in World Service, where staff take responsibility for all actions undertaken, decisions made and policies complied with. World Service is therefore committed to implement its work in a manner consistent with this Child Protection Policy².

World Service commits itself to creating and maintaining an environment which promotes its core values and prevents abuse and sexual exploitation. World Service employees, volunteers, board members and contractors are expected to contribute to building a harmonious workplace based on team spirit, mutual respect and understanding. All staff members and volunteers are expected to uphold the dignity of those we serve by ensuring that their personal and professional conduct is of the highest standard at all times. World Service strongly condemns all kinds of abuse and sexual exploitation. Child abuse occurs when adults or other children hurt children under the age of 18, either physically or in some other way.

LWF recognizes a child to be any person below the age of 18 years of age as established in the UNCRC.

2. GOAL AND OBJECTIVES

2.1. Goal:

To promote the safety and well-being of all children participating in programs supported and implemented by World Service and its national partners, particularly to eliminate the risk of any kind of abuse of children.

¹ UN Convention on the Rights of the Child, articles 19, 34.

² Appreciation is conveyed to Australian Lutheran World Service for sharing its Child Protection Policy and Child Protection Code of Conduct, and for having provided valuable advice and guidance to World Service.

2.2. Objectives:

The following objectives reflect the World Service practical approach to meeting this goal through its Country Program operations and its partners around the world. The objectives apply to all World Service staff and its national implementing partners and contractors, including those working for or on behalf of World Service in a paid or voluntary capacity.

2.2.1. To support only child safe and child friendly programs and environments

- by ensuring the active and genuine participation of girls and boys in the planning, implementation and evaluation of programs.
- by ensuring that the child is capable of forming his or her own views, and has the right to express those views freely in all matters affecting the child.
- by ensuring that girls and boys participating in the programs are protected against all forms of violence, abuse and neglect.
- by ensuring that indicators and data are disaggregated by age and gender.

2.2.2. To ensure that protection and support to children are not discriminatory

- by ensuring that children are equally protected and assisted without discrimination, regardless of their age, sex, nationality, religious or political beliefs, family background, economic status, social status or caste/ethnicity, physical or mental health, criminal background, etc.
- by ensuring that children have the same access as adults to World Service programs or services (when present in the affected populations and primary focus groups) in a manner appropriate to their age, maturity and development.
- by referring children to the appropriate child welfare or child protection entities for assistance when such a need is identified through the implementation of World Service programs.

2.2.3. To maintain a professional role with children

- by ensuring that World Service partners adhere to the LWF Staff Code of Conduct Regarding Sexual Exploitation and Abuse, Abuse of Power, Fraud and Corruption and the LWF Department for World Service Child Protection Policy.
- by regularly monitoring child protection related issues in the field and making partners aware of changes and updates on relevant policy.
- by establishing and maintaining clear professional boundaries at all times.

2.2.4. To ensure that children are appropriately and respectfully portrayed in all communications

- by being mindful of how images of children could be used, adapted and viewed, and by not portraying children as weak, isolated and vulnerable. Inappropriate images of children should not be distributed or published. Consent from both the child and his/her parent or guardian to have his/her image distributed or published should be obtained (with consent in a language known to and understood by the person giving consent).

3. DEFINITIONS³ OF CHILD ABUSE AND CHILD EXPLOITATION

Emotional abuse refers to a parent or caregiver's inappropriate verbal or symbolic acts toward a child, or a pattern of failure over time to provide a child with adequate non-physical nurture and emotional availability. It may include a repeated rejection or belittling of a child, or the making of threats, which has the intent to scare and frighten. It can also result from excessive demands that place expectations on a child beyond their capacity, or by witnessing forms of violence, including domestic violence.

Neglect means the failure by a parent or caregiver, or by organizations and service providers, to provide a child with the culturally accepted and essential conditions for their physical and emotional development and well-being. In a development or emergency context, the risk of this form of abuse can occur when someone uses his/her position to withhold assistance in order to gain favours or advantage. Neglect can also happen in emergency or development contexts, when lack of time or conflicting priorities can lead to not taking children into account when planning project activities.

Physical abuse includes actions that cause harm and injury to a child. Physically abusive behaviour includes shoving, hitting, slapping, shaking, throwing, punching, kicking, biting, burning, strangling and poisoning. Other examples may include actions that can cause physical damage such as withholding medication, food or water, or confinement of a child. This form of abuse may be intentional, an indirect consequence of physical punishment or aggression, or may arise from neglect where the child is exposed to physically dangerous and life-threatening situations.

Sexual abuse occurs if a child is pressured or forced to take part in any kind of sexual activity, whether or not the child is aware of, or consents to, what is happening. It is the use of a child for sexual gratification by an adult or significantly older child or adolescent. This includes activities which deliberately expose a child to sexual imagery or pornography. Sexual abuse may involve siblings or other family members, or persons outside the family.

Exploitation refers to one or more of the following:

- committing or coercing another person to commit acts of abuse against a child
- possessing, controlling, producing, distributing, obtaining or transmitting materials that exploit a child
- committing or coercing another person to commit an act of grooming (behaviour that makes it easier for an offender to procure a child for sexual activity), including online grooming.
- facilitating, encouraging, or knowingly benefiting from child labour – that is, work that children should not be doing because they are too young to work, or because it is dangerous or otherwise unsuitable for them.

³ As taken from the ALWS Child Protection Code of Conduct

4. GUIDING PRINCIPLES⁴

4.1. Zero tolerance of child exploitation and abuse

World Service does not tolerate child exploitation and abuse. Such action attracts criminal, civil and disciplinary sanctions. World Service works to reduce the risks of child exploitation and abuse associated with implementation of humanitarian and development assistance, and trains its staff on their obligations. World Service will not knowingly engage—directly or indirectly—anyone who poses an unacceptable risk to children. World Service will not fund any individual or organisation that does not meet its child protection standards.

4.2. Recognition of the best interest of the child

World Service adheres to the United Nations Convention on the Rights of the Child, and is committed to upholding the rights and obligations under this convention. World Service recognises that some children, such as those with disability and children living in areas impacted by disasters or complex emergencies, are particularly vulnerable.

4.3. Sharing responsibility for child protection

To effectively manage risks to children, World Service requires the commitment, support and cooperation of all employees, national partners and contractors. They must meet the terms of this policy and will be held accountable, through contracts, audits and spot checks, for complying with it.

⁵**LWF employees** include all staff with any contract established in Geneva or by the LWF field offices, to conduct activities outlined in their job descriptions or terms of reference. This includes staff with agreements of employment, consultants, temporary or casual workers, trainees, volunteers, interns, and secondments. In addition any LWF worker that is directly or indirectly involved with refugee or internally displaced communities is included under this definition.

4.4. Risk management approach

While it is not possible to eliminate all risks of child exploitation and abuse, careful management can reduce the risks to children that may be associated with aid activities. These are identified during initial risk assessments by staff in Country and Regional Programs and are managed for the duration of project implementation. Risks to children must always be considered in humanitarian response. All staff adhere to the provisions of the World Service Risk Management Policy Statement and Strategy Framework.

4.5. Procedural fairness

⁴ As adapted from the AUSAID Child Protection Policy, Guiding Principles, pages 3-4.

⁵ As defined in the LWF Code of Conduct.

World Service uses fair and proper procedures when making decisions that affect a person's rights or interests. Our partners are expected to adhere to this principle when responding to concerns or allegations of child exploitation and abuse.

5. IMPLEMENTATION

World Service will ensure that the programs it supports are complying with the Codes through its regular risk management, assessment, implementation, monitoring and reporting processes. **This policy will be implemented in the following ways:**

5.1. A specific recruitment procedure linked to this Child Protection Policy

- Recruitment procedures will be followed by LWF in accordance with provisions outlined in: the LWF personnel regulations, the LWF Staff Code of Conduct regarding Sexual Exploitation and Abuse, Abuse of Power, Fraud and Corruption, the LWF Personnel Policies, and national labor laws. Recruitment procedures will include:
 - A criminal record check, for all LWF staff and partner staff;
 - A documented request for disclosure if applicants have ever been charged with child-related offences;
 - Criminal History Form signed by the applicant;
 - Applicant interview questions which will address prior experience in working with children (in cases where the position description involves working with children);
 - Documented verbal referee checks, with questions related to child protection.
- This policy applies to all those working for LWF in a paid or voluntary capacity.

5.2. Signatory and adherence by all staff (including short-term staff, consultants, volunteers, interns, and contractors) to the LWF Code of Conduct regarding Sexual Exploitation and Abuse, Abuse of Power, Fraud and Corruption, and the LWF Department for World Service Child Protection Policy

- It is the ultimate responsibility of the LWF Representative to ensure that all staff are aware of, and adhere to provisions of, the Child Protection Policy, and have signed the LWF Code of Conduct.

5.3. Child protection induction and training

- Child protection training will be organized for relevant World Service staff, especially those working in specific protection programs and projects, and will be included as part of induction briefing/orientation for all new staff.⁶ All staff will sign the Induction Guidelines, verifying that they have received guidance and instruction on all aspects of the induction (including child protection), as contained in the Induction Checklist.
- World Service Country Programs will keep all Codes of Conduct in appropriate files.

5.4. A commitment that the organization will not permit a person to work with children if they pose an unacceptable risk to children's safety and wellbeing

- This commitment will be articulated in Program Agreements entered into between Country Programs and their implementing partners.

5.5. Implementing partner compliance

- The primary World Service implementing partners and ACT Alliance members have adopted Codes of Conduct on Sexual Exploitation and Abuse, Abuse of Power, Fraud and Corruption for its staff members, which include specific clauses related to children. Some have also developed specific Codes of Conduct on Child Protection.
- Implementing partners will implement processes that include education for staff members and adopted procedures to investigate allegations of breaches of the Code.

5.6. A documented child protection complaints management procedure, including specified sanctions for breaches

- For this purpose the LWF Department for World Service Complaints Mechanism – Policy and Procedure will be used (with child abuse/exploitation being characterized as a “serious complaint”). The Complaints Mechanism Policy elaborates how to complain, and steps in processing complaints. The World Service Investigation Guidelines provide information on how to carry out an investigation. Zero Tolerance (see 4.1 above) is an integral part of the Complaints Policy and Investigation Guidelines.

5.7. The provision for policy review at least every three years

- This will take into account implementation experience, as well as best practice standards and policies that are available at the time of the reviews, and will be presented to the LWF Committee for World Service for consideration and approval.

⁶ Reference: Specific Core Training Workshop 1, developed as part of Keeping Children Safe Toolkit, 2007.

6. SPECIFIC RESPONSIBILITIES OF STAFF IN CHILD PROTECTION

All staff of World Service shall:

- treat children with respect regardless of their gender, race, colour, language, nationality, religion, political or other beliefs, family background, economic status, physical or mental health, criminal background, or opinions, or those of their family members
- not use language or behaviour towards children that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate
- not engage anyone, and specifically children under the age of 18, in any form of sexual activity, including paying for sexual services or acts
- wherever possible, ensure that another adult is present when working in the proximity of children
- not invite unaccompanied children into their homes, unless they are at immediate risk of injury or in physical danger
- not sleep close to unsupervised children unless absolutely necessary, in which case they must obtain their supervisor's permission, and ensure that another adult is present if possible
- use any computers, mobile phones, video cameras, cameras or social media appropriately, and never to exploit or harass children or access child exploitation material through any medium
- not use physical, emotional or psychological punishment on children
- comply with all relevant local legislation, including labour laws in relation to employment of children
- not hire children for domestic or other labour which is inappropriate given their age and developmental stage, which interferes with their time available for education and recreational activities, or which places them at significant risk of injury
- immediately report concerns or allegations of child exploitation and abuse and policy non-compliance in accordance with appropriate procedures (see LWF DWS Complaint Mechanism Policy and Procedure)
- immediately disclose all charges, convictions and other outcomes of an offence, which occurred before or occurs during their association with World Service that relate to child exploitation and abuse.
- ensure respectful and appropriate standards when capturing and using children's images and stories by
 - portraying children in a dignified and respectful manner;
 - never posing children in ways that could be seen as sexually suggestive, vulnerable or submissive;
 - ensuring children are adequately clothed in images;
 - composing photos of children in a context that properly represents the facts and within their local community setting;

- obtaining informed consent of a child and his/her parent or guardian for the taking and use of his/her images and stories; and, before obtaining consent, providing them details as to how and where the images and stories will be used;
 - obtaining similar consent from a teacher or supervisor, to the extent possible, in the case of groups of children;
 - assessing and endeavouring to comply with local conditions or restrictions for reproducing personal images before photographing or filming a child;
 - not revealing identifying information in file labels, meta data or text descriptions when sending images or stories electronically or publishing images in any form;
 - screening all photographs for their suitability and ensuring all images that are considered inappropriate are destroyed.
- not meet with or communicate with (including by email, phone, social media, etc.) any child associated with DWS' work outside of what is required of them for their work with DWS.
 - seek to assist any child – whether directly or by referral as appropriate – whom they understand to be experiencing abuse or neglect.