



SAMATAPHEAP KHNOM ORGANIZATION (SKO)

Child Protection Policy (CPP)

Date of Effect 01/01/2015
Date for Review¹ 01/01/2020

1 Policy Statement

Samatapheap Khnom Organization recognises that children are one of the most vulnerable groups in society and all children have the right to be safe and protected. Samatapheap Khnom Organization acknowledges that preventing child exploitation and abuse is a shared responsibility.

Samatapheap Khnom Organization is committed to protecting children from exploitation and abuse regardless of their nationality, culture, ethnicity, gender, religious or political beliefs, socio-economic status, family or criminal background or physical or mental health.

Samatapheap Khnom Organization is committed to providing a safe environment for any children with whom it comes in contact, through implementing child-safe practices within its culture, programs and activities, policies and procedures. These practices to be understood and implemented at all levels.

Samatapheap Khnom Organization is committed to ensuring that it, and anyone in contact with children in connection with the activities and programs of Samatapheap Khnom Organization; is obliged to abide by national laws relevant to child protection.

Samatapheap Khnom Organization is committed to acting in accordance with the standards set out in international conventions relating to child rights and protection.

2 Purpose

The purpose of this policy is to protect children from all forms of abuse and exploitation, in all Samatapheap Khnom Organization's activities and programs.

This policy outlines Samatapheap Khnom Organization's

- scope and responsibility to protect children from child abuse;
- recruitment and screening processes;
- Code of Conduct;
- reporting procedures,
- risk management; and
- definitions of terms used in the policy (e.g. "child abuse")

3 Scope

This policy applies to:

- Board and Committee members, staff and volunteers of Samatapheap Khnom Organization;
- contractors providing services to or working with the Samatapheap Khnom Organization.

4 Implementation

4.1. Child Safe Recruitment and Screening

Samatapheap Khnom Organization follows child safe recruitment and screening² for:

- Board and Committee members, staff, and volunteers of Samatapheap Khnom Organization;
- contractors providing services to or working with the Samatapheap Khnom Organization;

¹ Refer section 4.7 of this Policy

² Refer to Annex 1: Child Safe Recruitment

Anyone in these categories will be provided with a copy of the Policy; briefed on the Policy as part of their orientation or induction; and required to understand the requirements of the Policy.

4.2 Standards of Conduct and Child Protection Code of Conduct

Samatapheap Khnom Organization provides guidance about ways to minimise risk to children. It has established standards of behaviour which must be followed at all times when a person is in contact or working with children. These standards are set out in the Child Protection Code of Conduct.

Board and Committee members, staff, and volunteers of Samatapheap Khnom Organization; contractors providing services to or working with the Samatapheap Khnom Organization; and visitors to Samatapheap Khnom Organization who have contact with or work with children must be provided with; sign and must comply with the Child Protection Code of Conduct.

Samatapheap Khnom Organization must retain a copy of the Code of Conduct as signed by each person and maintain a register of those persons who have been provided with and signed a copy of the code and trained in its obligations.

A failure to comply with the Child Protection Code of Conduct may lead to disciplinary action, legal action, or criminal investigation and prosecution.

4.3 Training and Awareness

All Board and Committee members, staff, and volunteers of Samatapheap Khnom Organization who may have contact with or who are or may be working with children, must participate in regular child protection awareness training.

4.4 Procedures for Reporting Child Abuse

A report of child abuse may include any disclosure, concern or allegation made by a child, or by any other person, of child abuse or a breach of the Child Protection Code of Conduct³.

Samatapheap Khnom Organization is committed to ensuring that the safety and wellbeing of the child and their dignity and rights remain the overriding concern at all times. Samatapheap Khnom Organization will:

- make every effort to protect the rights and safety of the child throughout the investigation of any report of child abuse
- treat a report of child abuse seriously and ensure that all parties are treated fairly
- deal with a child abuse report in a confidential⁴, fair and timely manner.
- ensure that the interests of anyone reporting in good faith are protected. [All reports made in good faith will be viewed as being made in the best interests of the child regardless of the outcomes of any investigation.]

A member of staff, volunteer or member who intentionally makes a false or malicious report may be subject to disciplinary action.

A contractor who intentionally makes a false or malicious report may be subject to termination of contract.

4.4.1 Making a report

If a member of staff, a volunteer, a contractor or a member becomes aware of:

- child abuse through disclosure from a child, ,third party and/or direct observation; **and/or**

³ A flowchart of reporting procedures is set out in Annexure 4

- a breach or possible breach of the Child Protection Code of Conduct

they must immediately report it to Samatapheap Khnom Organization Child Protection Officer (CPO).

Others, including people in the community or a visitor, can also make a report of child abuse to Samatapheap Khnom Organization Child Protection Officer (CPO).

4.4.2 Acting on the report

Any Samatapheap Khnom Organization Board and Committee members, staff, or volunteer who becomes aware of a report must:

- discuss concerns with Samatapheap Khnom Organization Executive Director; and
- complete an incident sheet⁵ which details who made the report, and/or other witnesses or persons who may have relevant information.

Samatapheap Khnom Organization Child Protection Officer will discuss the concern with the person/s who made the allegations or other witnesses to gather more information so as to be in an informed position to:

- identify immediate and potential risks to the child or young person;
- develop and implement an action plan to ensure the child's safety.

The Action Plan will include but is not limited to the following:

- report the matter to local police and/or the child protection authority; **and/or**
- ensure referral and support for the child; **and/or**
- manage internally in accordance with its processes if not a criminal matter; **or**
- take no further action.

4.5 Risk Management

Samatapheap Khnom will identify any child protection risks in all activities (including programs, projects and positions) and adopt strategies for managing perceived risks. A risk assessment must:

- identify risks;
- classify any high risk activities; and
- document steps to be taken to reduce or remove risks.

Risk assessments are to be reviewed and updated over the life of the assessed activities.

Samatapheap Khnom Organization will not permit any person to work or have contact with children if they pose any risk to children's safety or wellbeing.

4.6 Employment Contract Provisions

Each employment contract must include an entitlement for Samatapheap Khnom Organization to dismiss, suspend or transfer to other duties a member of staff who breaches the Child Protection Code of Conduct.

4.7 Policy Monitoring and Review

Monitoring application of the policy is the responsibility of all staff, particularly the Child Protection officer of Samatapheap Khnom Organization.

The policy will be reviewed every 5 years and earlier if there are changes to relevant national and/or international standards, so that it remains current, effective and appropriate.

⁵ See Annexure 3 - Incident Reporting Sheet

5 Definitions

‘adult’	a human being aged 18 years or more
‘child’	a human being under the age of 18 years
‘child abuse’	one or more of the following: <ul style="list-style-type: none">• physical abuse• sexual abuse• emotional abuse• neglect• exploitation
‘child abuse material’	material that depicts (expressly or implicitly) a child as a victim of torture, cruelty or physical abuse.
‘child exploitation and abuse’	one or more of the following: <ul style="list-style-type: none">• committing or coercing another person to commit an act or acts of abuse against a child• possessing, controlling, producing, distributing, obtaining or transmitting child exploitation material• committing or coercing another person to commit an act or acts of grooming or online grooming
‘child exploitation material’	material, irrespective of its form, which is child abuse material or child pornography material
‘child pornography’	any representation, by whatever means, of a child engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a child for primarily sexual purposes
‘child pornography material’	material that depicts a person, or is a representation of a person, who is, or appears to be, under 18 years of age and is engaged in, or appears to be engaged in, a sexual pose or sexual activity, or is in the presence of a person who is engaged in a sexual pose or activity, and does that in a way that a reasonable person would regard as being, in all the circumstances, offensive
‘child protection’	an activity or initiative for the purpose of preventing or responding to a specific incident of child abuse
‘contact with children’	working or participating in an activity or in a position that involves contact with children, either under the position description or due to the nature of the work environment.
‘contractor’	any person or organisation working jointly with or providing services to Samatpheap Khnom Organization, including consultants and partner organisations

‘emotional abuse’	a parent’s or caregiver’s inappropriate verbal or symbolic acts towards a child or a pattern of failure over time to provide a child with adequate non-physical nurture and emotional availability whereby a child’s self esteem and social competence is damaged
‘grooming’	behaviour that makes it easier for an offender to procure a child for sexual activity (including online grooming)
‘online grooming’	the act of sending an electronic message with indecent content to a recipient who the sender believes to be under 16 years of age, with the intention of procuring the recipient to engage in or submit to sexual activity with another person including but not necessarily the sender
‘neglect’	the failure by a parent or caregiver to provide a child (where they are in a position to do so) with the conditions that are culturally accepted as being essential for their physical and emotional development and well-being
‘physical abuse	the use of physical force against a child that results in harm to the child. Physically abusive behaviour can include shoving, punching, hitting, beating, kicking, biting, burning, shaking, throwing, strangling and poisoning
‘sexual abuse’	the use of a child for sexual gratification by an adult or a significantly older child or adolescent. Sexually abusive behaviours can include fondling genitals, masturbation, oral sex, vaginal or anal penetration by a penis, finger or any other object, fondling breasts, voyeurism, exhibitionism and exposing the child to, or involving the child in, pornography

Attachments

Annexure 1: Child Safe Recruitment

Annexure 2: Child Protection Code of Conduct

Annexure 3: Incident Reporting Sheet

Annexure 4: Reporting Procedures

Annexure 5: Risk Management

Annexure 6: CPP Acceptance Agreement

Annexure 1: Child Safe Recruitment

For all Board and Committee members, staff, volunteers, and contractors, who will work with or who may have contact with children, the following process applies:

Screening

1. targeted behavioral interview questions, that are specific to positions which involve working or having contact with children, will be included in the interview schedule
2. an applicant must be asked and must disclose whether they have been charged with a child abuse or exploitation offence
3. a referee for a preferred candidate will always be asked if they hold any concerns about the applicant (or if complaints were made about the applicant), in connection with working or having contact with children

[EITHER]⁶

- the preferred candidate will be required to submit a completed Criminal Record Check,⁷ as detailed below, in respect of offences in connection with any aspect of child abuse or exploitation
- a satisfactory Criminal Record Check is a pre—condition of appointment of the preferred candidate as an employee or volunteer

[OR]

- the preferred candidate will be asked to sign a legally binding declaration in respect of any criminal record in connection with any aspect of child abuse or exploitation,
- a satisfactory declaration is a pre—condition of appointment of the preferred candidate as an employee or volunteer

Criminal record review

A criminal record review for a candidate must cover:

- each country in which the person has lived for 12 months or more in the 5 years preceding the date of review ; and
- the person's country of citizenship.

No Criminal Record Check may be undertaken, unless the candidate has consented to it being obtained. Without consent the candidate can not be offered a position with the organization.

The candidate is to be informed:

- that any certificate arising from the Criminal Record Check will be used in connection with determining whether the applicant will be offered the position; and
- that the certificate may be made available to funding agencies (i.e. AusAID/USAID).

A detailed record of the recruitment is to be maintained (including the response to the request for disclosure of any charges of a child abuse offence, a referee's comments and the outcome of the criminal record check or other process).

⁶ Formal criminal record checks are to be used, unless reliable records are not available or searchable.

⁷ Only include if criminal background checks are available in the country and to the extent relevant

Annexure 2 Standards of behaviour – Samatapheap Khnom Organization Child Protection Code of Conduct

The Child Protection Code of Conduct applies to Board and Committee members, staff, volunteers, contractors and visitors associated with **Samatapheap Khnom Organization**.

It defines standards of behaviour expected by Samatapheap Khnom Organization in order to protect children.

I agree that while working with or engaged in activities funded by Samatapheap Khnom Organization I will:

- treat children with respect regardless of race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status;
- not use language or behaviour towards children that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate;
- not engage a child (under the age of 18 years) in any form of sexual activity or acts, 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 my home, unless agreed upon with director in case of unusual and unforeseen emergency
- not sleep close to unsupervised children unless absolutely necessary, in which case I must obtain my supervisor's permission, and ensure that another adult is present if possible;
- use any computers, mobile phones, or video and digital cameras appropriately, and never to exploit or harass children or to access child exploitation material through any medium (see also 'Use of children's images for work related purposes', below)
- not use physical punishment on children
- not hire children for domestic or other labour which is inappropriate given their age or developmental stage, which interferes with their time available for education and recreational activities, or which places them at significant risk of injury;
- comply with all relevant local legislation, including labour laws in relation to child labour;
- immediately report concerns or allegations of child abuse and exploitation in accordance with **Samatapheap Khnom Organization's** Child Protection Policy;
- immediately disclose all charges, convictions and outcomes of an offence, which occurred before or occurs during my association with Samatapheap Khnom Organization that relate to child exploitation and abuse.

Use of children's images for work related purposes

When photographing or filming a child or using children's images for work related purposes, I must:

- assess and endeavour to comply with local traditions or restrictions for reproducing personal images before photographing or filming a child;
- obtain informed (and where possible written) consent from the child and a parent or guardian of the child before photographing or filming a child. As part of this I must explain how the photograph or film will be used
- ensure photographs, films, videos and DVDs present children in a dignified and respectful manner and not in a vulnerable or submissive manner. Children should be adequately clothed and not in poses that could be seen as sexually suggestive;
- ensure images are honest representations of the context and the facts; and
- ensure the file labels, meta data or text descriptions do not reveal identifying information about a child when sending images electronically or publishing images in any form

I understand that the obligation is on me, as a person associated with Samatapheap Khnom Organisation to use common sense and avoid actions or behaviours that could be construed as child exploitation and abuse.

I acknowledge that I have been provided with and read the Child Protection Policy and that a failure to comply with the Child Protection Code of Conduct may lead to disciplinary action, legal action, or criminal investigation and prosecution.

Signed: _____

Date: _____

Annexure 3: Incident Reporting Sheet

Please complete this form if you believe that child abuse or exploitation, or a breach of the Child Protection Code of Conduct, may have occurred or that a child’s safety is in danger. All child protection concerns should be reported immediately to Samatapheap Khnom Organization Child Protection Officer. The report must be treated in strict confidence.

Today’s date:	_____
Today’s Time:	_____
Today’s Venue/Address:	_____
Name of Child:	_____
Age of child:	_____
Name of parents or guardian:	_____
Name of organisation involved:	_____

Details of Concern / Suspicion / Incident:

Please fill out as many sections as possible with as much detail as you can.

1. Describe what happened: time / dates / names of persons) involved/ behaviour or signs observed / any other details. _____ _____ _____ _____ _____ _____
2.Details of any conversation with the child: _____ _____ _____ _____

3. Have you contacted anyone about this concern? Yes No (*Please circle one*)

4. If so, who have you contacted?

Please sign this report and print your name and your position in the organisation

Signed..... Date

Name: _____ Position: _____

Office Use

Name *of* *person* *who* *received* *Incident*
Report _____

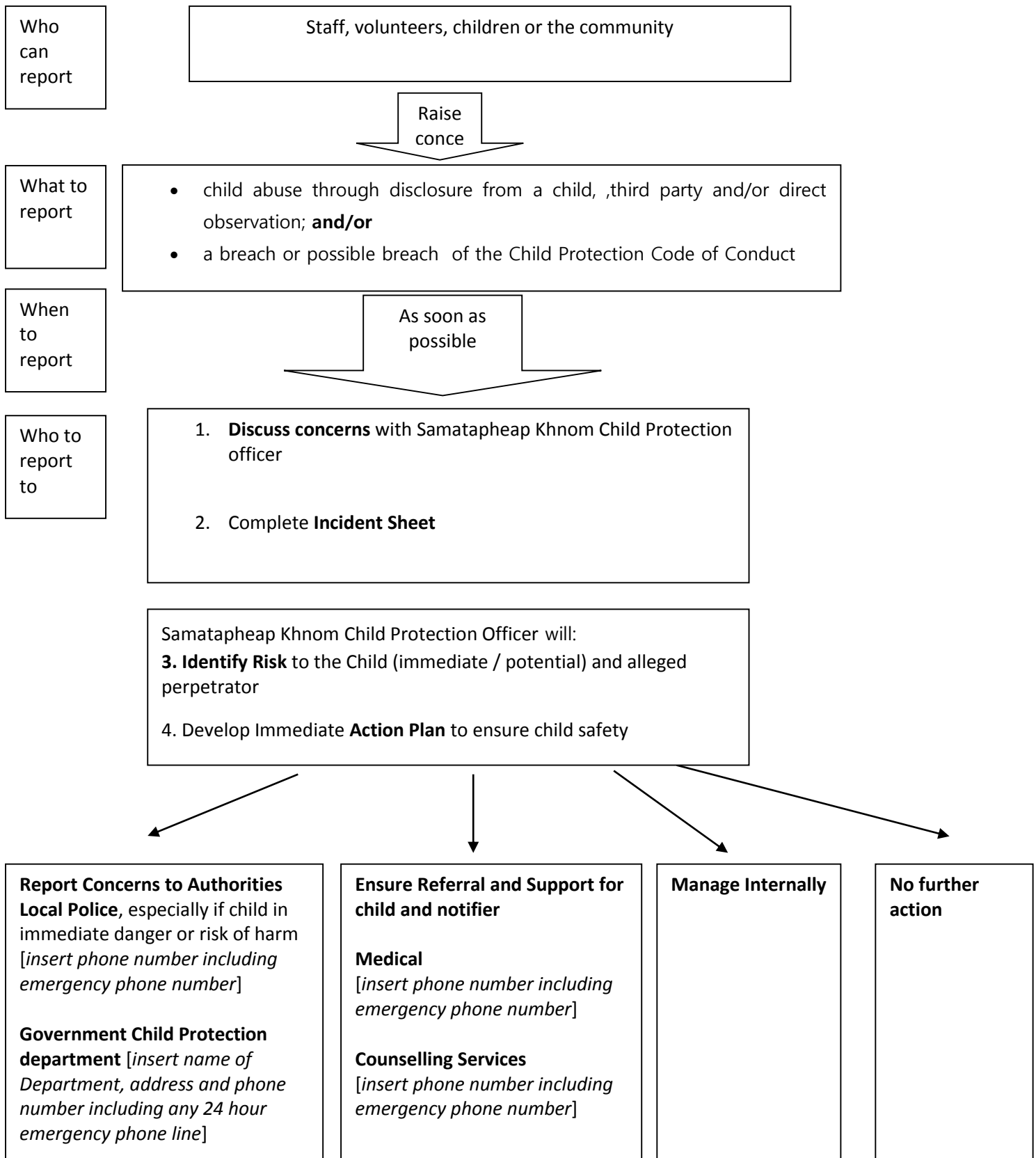
Date received _____

Action
taken _____

Attach all documentation

Signature and name of person who has dealt with report _____

Annexure 4: Reporting Procedures



Annexure 5: Risk Management

This is an example of a tool which an organization can use to assess risks to children by staff and volunteers. Use the following questions to complete the matrix:

- **IDENTIFY** - What are the practical activities of the program which present a risk to children?
- **RISK** - What could go wrong?
- **PROBABILITY** - What is the likelihood of something going wrong?
- **IMPACT** - What would be the consequences to the child?
- **ACTION** – Identify ways to reduce these risks, and resources required to reduce the risks

Identify Risk to Child	Analysis of Risk Factors	Probability			Impact	Action to be Taken	By Whom	By When
		H	M	L				

Manage risks using the following suggestions:

- Identify ACTION
- Identify Resources required to reduce the risk
- Have a procedure in place for when things go wrong

Monitor a Program Risk Assessment by asking the following questions:

- Do the risks still exist?
- Have they been reduced, controlled and managed by the existing plan?
- Are there new risks?
- What actions and resources are needed to reduce, remove and control these emerging risk?

Annexure 6: CPP Acceptance Agreement

**Child Protection Policy
Acceptance Agreement**

I, _____ have read the Samatapheap Khnom Child Protection Policy and fully understand and accept its contents. I agree to comply fully with the terms and conditions outlined in this document.

Signature: _____

Date: _____

Print Name: _____