

Child Protection Policy

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Child Protection Policy



INTRODUCTION

This document sets out the child protection policy and procedures for the Centre for Justice and Crime Prevention.

ABOUT THE CJCP

The CJCP is a South African research NGO working in the field of violence prevention and safety, in South Africa and the region, with a particular focus on children and youth. The organisation has extensive experience in the field of child protection and safety; child and youth victimization; online child protection, risks and opportunities; and school violence. The organisation works both nationally in South Africa, and regionally, and consults internationally.

Since its establishment in 2005, the CJCP has worked with a number of National and Provincial government departments in South Africa, including the Departments of Basic Education, Communications and Social Development, as well as the Presidency, to formulate evidence-based policy on issues of child safety, both online and offline, and to develop appropriate implementation frameworks and mechanisms for national and provincial policies and strategies. The organisation has also worked with a number of regional governments and international agencies on issues of violence against children, child safety and protection, and specifically child online safety. Specific examples include the current development of a child online safety strategy for UNICEF Namibia, development of a National Schools Safety Framework in 2014/15, and the development of a Children's Empowerment and ICT strategy with the South African Department of Communications. Further, the CJCP is the South African implementation partner of Global Kids Online, an international extension of the EU Kids Online project, in partnership with UNICEF Office of Research at Innocenti, and the London School of Economics and Political Sciences (LSE). The CJCP is also leading a team of experts undertaking a child online protection scoping and mapping study in five countries in the MENA region: Tunisia, Algeria, Morocco, Egypt and Jordan; is providing technical assistance to UNICEF Namibia and the Namibian University of Technology in exploratory research into child online protection and ICT opportunities in Namibia; and is undertaking a scoping exercise on child online protection in Uganda.

The organisation has extensive experience in conducting both large scale epidemiological studies on violence relating to children, best evidenced through the National Optimus Foundation Study on Child

Abuse, Violence and Neglect, a study of 10,000 children and adolescents; as well as smaller scale qualitative and policy-oriented studies, including a comprehensive desktop study on violence against children, undertaken for UNICEF South Africa and the national Department of Social Development, in 2011.

The organisation also designs and delivers intervention and training material for both government and civil society, and regularly presents research on children and online safety at national and international fora. The organisation has undertaken work in South Africa, the Democratic Republic of Congo, Mozambique, Namibia, Kenya, South Sudan and Ethiopia.

INTRODUCTION TO THE CHILD PROTECTION POLICY

The CJCP aspires to improving the quality of life by building secure and safer communities through the recognition and realisation of community safety as a common good. The CJCP is dedicated to developing, informing and promoting innovative evidence-based crime prevention focussed on groups identified as being vulnerable to victimisation or offending.

The CJCP does this by:

1. Conducting rigorous research into issues of relevance to policy-makers, public officials, development partners and crime prevention practitioners.
2. Facilitating the implementation of crime prevention projects.
3. Providing accredited sector-specific training in crime prevention.
4. Advocating and lobbying for a crime prevention agenda that supports effective service delivery.

This policy is informed and guided by the following:

1. Child Justice Act, 75 of 2008
2. Children's Act, No 38 of 2005
3. Child Care Amendment Act (Act 96 of 1996)
4. The South African Constitution
5. Sexual Offences and Related Matters Act of 2007

This policy has been workshopped with grade 10 and 11 learners participating in programmes implemented by Masifunde Learner Development. Their comments have been incorporated into the policy.

NATURE AND PURPOSE OF THIS POLICY

1. CJCP conducts scientific studies on issues related to children and child safety.
2. This often entails asking sensitive questions to children making them particularly vulnerable.
3. We recognise the importance of protecting children and for this reason all researchers and fieldworkers are trained to ensure that any engagement with children and child are governed by strict ethical principles that ensure that no harm comes to those who participate in our research studies or programmes, and also protect the employees and contractors from false accusations.
4. CJCP also provides direct services in the form of early crime prevention programmes and interventions. This necessarily entails working with children on issues related child safety.
5. We recognise the importance of protecting children and for this reason all programme staff are trained to ensure that any engagement with children and child are governed by strict ethical principles that ensure that no harm comes to those who participate in our research studies or programmes, and also protect the employees and contractors from false accusations.

DEFINITIONS

1. Staff: all employees, full and part-time, and programme volunteers that have any contact with child or access to facilities
2. Contractors: all individuals working for CJCP on contract or in terms of a Memorandum of Understanding.
3. Child: all individuals under the age of 18 years.

PRINCIPLES AND GUIDELINES FOR CHILD PROTECTION

1. No research interviews will be conducted unless the consent has been obtained from the parent/legal guardian as well as a signed assent from the child.

2. No programme interventions will be conducted unless the consent has been obtained from the parent/legal guardian as well as a signed assent from the child.
3. No photographs or images will be captured unless the consent has been obtained from the parent/legal guardian as well as a signed assent from the child.
4. Only parents and legal guardians can provide consent and children can only provide assent.
5. The identity of all children to remain anonymous.
6. Treat all children with respect regardless of differences of religion, age, culture, gender, ability and economic conditions.
7. Allow children to have a say in decisions that affect them and listen earnestly to their concerns.
8. Engage in appropriate behaviour and use language that is not intended to shame or humiliate children in any way.
9. Take all reasonable steps to ensure that children are safe and comfortable to answer research questions when being interviewed and when participating in programmes and interventions.
10. No child should ever be placed at risk of harm in any way.

PREVENTATIVE MEASURES

RECRUITMENT AND SELECTION

1. CJCP follows stringent recruitment processes to ensure that all staff who are recruited understands and commits to the CJCP Policies and Procedures.
2. Reference checks are done on all potential recruitment of which at least one written reference from a previous employer is kept on file.
3. Before commencing employment all staff are required to attend an intense induction course where the CJCP policies, procedures and guidelines are discussed in detail to ensure there are no misunderstandings.
4. Staff are required to sign confidentiality agreements for each project, which further safeguards the integrity and confidentiality of the child.

SCREENING

1. All CJCP staff will be screened in accordance with this policy.
2. All CJCP staff and volunteers who work directly with children will be screened against both the National Child Protection Register AND the Sexual Offences Register.
3. The administrative and logistical costs of the screening are borne by the applicant, and not by CJCP.

WRITTEN APPLICATION

1. All potential staff must complete and sign a written application form that will request basic information from the applicant and will inquire into previous experience with children, reference and employment information, as well as disclosure of any previous criminal convictions.
2. The application form will be maintained in a secure, confidential personnel file at the CJCP administrative office.

PERSONAL INTERVIEW

1. A personal interview will be conducted with the applicant by management staff to discuss the position and the applicant's talents, qualifications and abilities.
2. Multiple and/or group interviews may be conducted as appropriate.

REFERENCE CHECKS

1. All applicants must provide at least three (3) references.
2. References may be personal or professional and be presented in written form or by providing phone contact information.
3. All references will be confirmed by management staff and documented in the applicant's personnel file.
4. At least one reference will be from a personal contact if available.

CRIMINAL BACKGROUND CHECK

1. Criminal background checks will be conducted for all potential staff after they've completed an application.

2. Background checks will comply with applicable regulations governing programmes.
3. Applicants will not be considered for positions when checks show evidence of convictions for an offense involving children and/or for offenses involving violence, dishonesty, illegal substances, indecency and any conduct contrary to the mission of the CJCP.
4. Failure to disclose a criminal conviction on the application form may also terminate an individual's application.

STAFF TRAINING

1. All CJCP staff who may come in contact with children will receive training.
2. The fieldworkers are subjected to a three to five day intensive training workshop at the commencement of any research project or activity. Child protection must form a component of all research field workers and supervisors.

TRAINING AND EDUCATION

1. All staff will receive an orientation that includes:
 - a. Review and receipt of the CJCP Code of Conduct - an original signed copy will be kept in the individual's personnel file
 - b. Review of policies related to safety, transportation, prevention and reporting of child abuse and emergency procedures - within the first week of their activation
 - c. Training in recognizing signs of suspected child abuse - within three months of activation
 - d. Training in the prevention of "Bullying" - within three months of activation
 - e. Supervisors will be trained on hiring and screening potential staff members – within three months of activation
2. Policy volunteers will review this policy as part of their initial orientation
3. Staff training and orientations will be updated and refreshed each year
4. Documentation of all training will be maintained in each individual's personnel file.

5. The CJCP will offer educational information and resources for the community, parents and child through workshops, programmes, and the use of printed and/or audio-visual resources.
6. At these training sessions, participants are introduced to all aspects of the research, information relating to acceptable behaviours and appropriate boundaries when interviewing children.
7. Staff are also equipped with the necessary containment skills to be able to respond appropriately when situations arise in field.
8. During the course of fieldwork, enumerators also know what steps should be taken to report any abuse or maltreatment of children that are disclosed to them during the course of their interviews with the children.

REPORTING

1. All CJCP field sites must have a reporting box for children to insert a written report in private, should they lack the confidence to report the matter verbally.
2. All CJCP field sites must regularly inform all children about the following:
 - a. The importance of reporting abuse or neglect to a responsible adult
 - b. The process to follow when making a report of abuse or neglect to CJCP staff
 - c. What children can do if they report abuse or neglect to a CJCP staff member and no action is taken.
3. All CJCP field offices and programme venues must display a list of emergency contact numbers for children to use if they need to report abuse or neglect.
4. For purposes of this policy, “abuse”, in relation to a child, means any form of harm or ill-treatment deliberately inflicted on a child, and includes—
 - a. Assaulting a child or inflicting any other form of deliberate injury to a child
 - b. Sexually abusing a child or allowing a child to be sexually abused
 - c. Bullying by another child
 - d. A labour practice that exploits a child

- e. Exposing or subjecting a child to behaviour that may harm the child psychologically or emotionally
5. Supervisors are skilled to perform and address any performance-related issues that may have a negative impact on children, such as, but is not limited to the following:
 - a. Staff programme facilitation methods
 - b. Staff communication skills
 - c. Staff interpersonal skills
 - d. Staff counselling skills
 6. Any irresponsible and unprofessional behaviour must be reported within 24 hours to the Project Manager. “Irresponsible and unprofessional behaviour” is defined as follows:
 - a. Any conduct or speech that might potentially cause emotional, physical or psychological harm to a child and in doing so, violates any rights the child may have in terms of the South African constitution, the Children’s Act and the Sexual Offences and Related Matters Act.
 - b. Any conduct or speech that breaches the South African Council for Social Service Professions Code of Conduct where the staff member in question is a social worker or a social auxiliary worker.
 7. The safety of children is always our priority and therefore strict action is taken when concerns, witnessed or suspected disregard of the Child Protection Policy is reported.
 8. The process below must be followed by all internal CJCP staff.
 9. External contractors will report any suspected child abuse or neglect to their CJCP line manager. Thereafter, the same process as outlined below will be followed.

STEP 1:

1. All CJCP staff will report known or suspected child abuse immediately or as soon as practically possible, taking note of the following:
 - a. Child’s name, address and telephone number.
 - b. Parents or guardians name and telephone numbers.

- c. Reasons for concern and any relevant statements made by the child.
2. If an incident of abuse or neglect is alleged to have occurred at or during CJCP programmes or activities, the following procedure shall be followed:
 - a. The parent or guardian of the child will be notified
 - b. The appropriate authorities will be notified, consistent with applicable legislation
 - c. The alleged perpetrator of the abuse or misconduct will immediately be suspended from the CJCP pending an investigation
3. Staff will follow an internal chain of command for the reporting of abuse, making all reports to the relevant line manager
4. Staff may report directly to the CJCP Executive Director, if their supervisor does not handle any report immediately.

STEP 2:

1. Inform the designated CJCP personnel in writing of the incident within 24 hours of the incident coming to light.
2. CJCP's Executive Director and Managers are responsible for assessing the validity of the complaints within 72 hours.
- 3.

STEP 3:

1. The designated personnel should contact a Social Worker from a child protection organization such as a Child Welfare Society or the Department of Social Development, or the Child Protection Officer of the South African Police Services.
2. The following should be noted:
 - a. The name of the person making the call;
 - b. The name of the intake worker receiving the call;
 - c. The date and time of the call; and
 - d. The action proposed by the person to whom the abuse has been reported.

STEP 4:

1. The social worker (and the police in some cases) will interview the child as soon as possible.
2. All CJCP staff must cooperate with this process, as and where requested by the relevant authorities.
3. If response up is slow and particularly if the child remains at risk, the referring person should follow up until the child is safe.

STEP 5:

1. Once the official investigation has been completed, CJCP may pursue internal disciplinary proceedings, as and when necessary.
2. A detailed report must be submitted of findings pertaining to any investigations.
3. In the event there is no investigation of the incident by state or local authorities, a management team will be formed to investigate the circumstances of the incident.
4. The team should act only in consultation with an attorney
5. Any person who is not found innocent of the alleged abuse or misconduct will be removed from their position with the CJCP.

INFORMATION AND COMMUNICATION TECHNOLOGY

1. Any child making use of CJCP ICT equipment must be supervised by a CJCP staff member at all times.
2. If children are making use of CJCP ICT equipment, the equipment must be child-friendly. For example, if children are accessing the internet on a CJCP computer, the computer must be set up as follows:
 - (a) A separate user account is created for use by children
 - (b) The settings of the user account must have Parental Controls that block sites and content unsuitable for children.
 - (c) See the following instructions on how to set up such an account.
[<http://windows.microsoft.com/en-za/windows/set-parental-controls#1TC=windows-7>]

3. Use of ICT to generate, access or be in possession of child pornography is illegal and should be reported in accordance with national laws
4. "Pornography" is defined as follows:
5. **'pornography'** means any image, however created, or any description of a person, real or simulated, who is 18 years or older, of an explicit or sexual nature that is intended to stimulate erotic feelings, including any such image or description of such person-
 - (a) Engaged in an act that constitutes a sexual offence;
 - (b) Engaged in an act of sexual penetration;
 - (c) Engaged in an act of sexual violation;
 - (d) Engaged in an act of self-masturbation;
 - (e) Displaying the genital organs of such person in a state of arousal or stimulation;
 - (f) Unduly displaying the genital organs or anus of such person;
 - (g) Displaying any form of stimulation of a sexual nature of the female breasts;
 - (h) Engaged in sexually suggestive or lewd acts;
 - (i) Engaged in or as the subject of sadistic or masochistic acts of a sexual nature;
 - (j) Engaged in any conduct or activity characteristically associated with sexual intercourse; or
 - (k) Showing or describing the body, or parts of the body, of that person in a manner or in circumstances which, within the context, violate or offend the sexual integrity or dignity of that person or any other person or is capable of being used for the purposes of violating or offending the sexual integrity or dignity of that person or any other person.
6. Staff found in possession of child pornography will be suspended pending a formal investigation
7. Pictures, materials and personal information regarding children is kept in a secure place.

SUPERVISION

1. Supervision of child, programmes, facilities and staff will be designed to protect child and staff at all times.
2. Practices to ensure a safe and caring environment will include:
3. Field staff members and field staff supervisors will have their photo taken for an ID badge that will be worn at all times while on duty. The badge will also include the person's name. A copy of the photo will be included in each individual's personnel file.
4. Management staff may make unannounced visits at least two times per month to every programme.
5. A minimum of two staff should be assigned to each programme, operating site and vehicle.
6. Staff members will never be alone with an individual child where they are not observable by others.
7. Classroom doors should remain open unless there is a window in the door or a side window beside it. Doors should never be locked while persons are inside the room. All storage, maintenance and utility area doors will be secured when not in use.
8. All sites of operation will have access to a telephone or cellphone on location during operating hours.
9. Child will never be left unsupervised; including bathrooms, locker rooms, or showers.
 - a. Written restroom use practices will be in place for all child programmes.
 - b. Facilities will be well lighted indoors and out.
 - c. Guests, service and contractors will sign-in to all facilities.
 - d. Staff will never release child to anyone other than the authorised parent(s), guardian(s), or an individual authorised by parents in writing or verified by phone.
10. Sign-in and sign-out will be in place for all child programmes.
11. Staff will check for signs of physical injury or emotional abnormality each time a child reports to programme.

12. Staff will utilize constructive methods for maintaining group control and managing child behaviour.
13. Staff will not disrobe a child other than outer garments without the presence of another staff member.
14. Staff will avoid changing clothes in front of child.
15. All staff will fulfil a probationary period of three months until all training and orientation is completed.

CONTACT WITH CHILD

1. It is understood that caring quality staff will develop positive relationships with child while involved in CJCP programmes.
2. The following practices will be followed to ensure the protection of both child and staff outside of CJCP programmes or activities.
3. Staff will not initiate contact with or accept supervisory responsibility for child outside of CJCP programmes and activities, including baby-sitting or private instructions. Staff with prior or family relationships to child may be relieved of this restriction with prior documented Executive approval.
4. Staff will not communicate with child outside of CJCP programmes via written, electronic or other means without express Executive approval.
5. Staff will appear and behave in a manner consistent with the mission and values of CJCP at all times while on or off duty; including electronic, written and verbal communications.

COMMUNICATIONS

1. The CJCP will promote positive values and child protection strategies in its programmes, facilities, with parents and in the community.
2. Parents will receive regular written information about the programmes content and schedules; feedback regarding their child's participation in programme including behaviour and general health; and an introduction to the programme staff.
3. Parents will be allowed to observe programmes at any time as appropriate

4. Parents and the community will be made aware of the CJCP child protection efforts through regular written and/or electronic communication including: the staff code of conduct, abuse prevention training for staff and child, how to report suspicious behaviour and that staff is not allowed to contact child outside of programmes.
5. The CJCP will designate a spokesperson to the media and community in the event of any incident concerning abuse or neglect.

DISSEMINATION OF THE POLICY

1. CJCP is committed to ensuring that all relevant parties are informed about its policy and understand the importance of keeping children safe.
2. CJCP's Child Protection Policy is:
 - a. Circulated and discussed with all current and future CJCP employees, contractors and consultants.
 - b. Circulated and discussed with all existing and potential funders.
 - c. Circulated and discussed with all current and future board members.
 - d. Circulated and discussed with the communities with whom CJCP collaborates.

MONITORING

This policy will be reviewed and updated as needed by the CJCP Board of Directors or its designee on an annual basis.

Adopted on _____ by the CJCP Board