



ADRA VIETNAM

Document Name: CHILD PROTECTION POLICY and PROCEDURE

Approving Committee: ADRA Vietnam Board members

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CHILD PROTECTION POLICY

I. PURPOSE

It is part of ADRA's mission to: *Facilitate of the right and ability of all children to attain their full potential, and to assist in assuring the child's survival to achieve that potential.*

Child protection is integral to the pursuit of this mission and is therefore detailed in this document for implementation through ADRA in Vietnam's programs.

Objective: to create and maintain Child Safe Environment

This policy provides guidance in the following specific areas:

- Prevention (risk management, recruitment, training, code of conduct and communications).
- Allegation Reporting and Management (obligations and confidentiality)
- Implementation and Monitoring (partner engagement, spot-check and review)

II. DEFINITIONS AND PRINCIPLES

2.1. Definitions:

CHILD

A 'child' or 'minor' is any person who is less than 18 years old. While we acknowledge this includes youth, we use the term 'child' for ease of understanding in documentation.

CHILD ABUSE

Child abuse is defined as an act (or failure to act) by parents, caregivers, other adults or older adolescents that endangers a child's physical or emotional health, development or dignity. Both boys and girls can suffer all types of child abuse.

- **Physical abuse** – the use of physical force against a child that results in harm to the child. Physically abusive behavior includes shoving, hitting, slapping, throwing, punching, kicking, biting, burning, strangling or poisoning;

- **Emotional abuse** - a chronic attack on a child or young person's self esteem. It can take the form of name calling, threatening, ridiculing, intimidating or isolating the child.
- **Sexual abuse** - a child is used by an older or bigger child, adolescent or adult for his or her own sexual stimulation or gratification, or economic gain.
- **Neglect** - the failure to provide the child with the basic necessities of life, such as food, clothing, shelter and supervision to the extent that the child's physical and emotional development and well-being are at risk.

CHILD EXPLOITATION

Child exploitation is the use of a child in work or other activities for the benefit of others that is unacceptable because it deprives them of their childhood, education, development or dignity. It includes unacceptable child labour, child prostitution or trafficking, and child pornography.

- **Exploitative child labour** - involves giving a child tasks for which he/she is not developmentally ready, expecting child to do work that does not allow time for he/she education, rest, and play. Examples include bonded or forced labour, persuading child to sell drugs, recruiting child into fighting forces, domestic workers, and trafficking.

Harmful cultural practices - deny children their rights. These include female genital mutilation, female infanticide, and early marriage.

Early marriage - which often leads to pregnancy at a young age, and being unable to finish schooling.

2.2. Principles

In developing this child protection policy, the following set of principles is recognized:

- All children have equal rights to protection from abuse and exploitation;
- All children should be encouraged to fulfill their potential and inequalities should be challenged;
- Everybody has a responsibility to support the care and protection of children;

Breaches of these principles by ADRA Vietnam Personnel are grounds for disciplinary action including the immediate termination of employment contract or volunteer/ intern assignment.

Partner organizations (including organizations engaged as contractors and consultants) are required implement and maintain policies and procedures to ensure the safety of child from abuse and exploitation. Failure to do so or repeated breaches of these principles by partners or their personnel will be grounds for the termination of any existing arrangements including MOUs and project funding.

2.3. Application

This document is prepared for broad application throughout ADRA in Vietnam's program and importantly where a program's targeted beneficiaries (direct or indirect) include individuals under the age of 18.

This policy applies to:

- All staff, national and international;
- All volunteers and interns;
- All contractors, e.g., consultants;
- All Board Members;
- All medias;
- All visitors;
- All representative/or agents of donors, sponsors.

III. PREVENTION

The foundation of any Child Protection Policy is prevention. Key processes of ADRA Vietnam prevention strategy are:

- Recruiting and selecting ADRA Vietnam Personnel safely;
- Abiding by a Code of Conduct;
- Undertaking a child protection risk analysis prior to any activity;
- Media & Communication procedures and guidance;
- Provide Child Safeguarding training and/or orientation to all ADRA Vietnam Personnel and implementing partners.

3.1. Recruitment

ADRA Vietnam will consistently apply robust recruitment procedures for all staff, volunteers and interns that include:

- Criminal record certificate;
- At least two verbal referee checks; and
- Behavioural-based interview questions.

Behavioural-based interview questions are used by a selection panel to assist in assessing all candidates. These questions ask candidates to respond to a hypothetical situation related to child safeguarding and assess the appropriateness of their response.

At least two reference checks will be conducted by phone/email for all applicants, with written notes stored on file. At least one referee must be a former employer. Referees will be asked about the applicant's work in relation to children and child safeguarding issues. Further references may be requested when inaccuracies or concerns are noted.

3.2. Training

ADRA Vietnam will provide all new staff, volunteers and interns with a child safeguarding briefing in which they will be introduced to the Child Safeguarding Policy, Staff Code of Conduct and

Child Safeguarding Procedures. Refresher training on the policy and procedures will be provided every two years.

3.3. Risk Analysis

ADRA Vietnam staff will identify child protection risks through conducting an initial risk assessment, identify strategies to manage those risks, monitor, evaluate and update risks and strategies throughout the life cycle of the project. (*Refer to ANNEX 5 for the Risk Assessment Template*).

CHILD PROTECTION PROCEDURES

ADRA Vietnam condemns all abuse against children. As a humanitarian organization, ADRA Vietnam values all persons, including children, and is committed to the safety and well-being of all children associated with our programs.

The Child Protection Policy outlines the steps we take in our work and with our people, to ensure we do no harm to children.

The Child Protection Procedures describes the practical actions we perform to apply the policy.

I. COMMUNICATION

Appropriate and wide communication of ADRA Vietnam's commitment to child protection and the implementation steps in place to ensure child protection in ADRA Vietnam's program is necessary for the policy to be effective and to ensure a child-safe environment. Appropriate communication measures are as follows:

- ADRA Vietnam's commitment to child protection is made known through open displays and available to all persons.
- Children in ADRA Vietnam's care have been informed of their right to be safe from abuse and exploitation.
- Information on child protection is available in the appropriate format and language to be accessible by all staff, children and carers.
- All staff and children are aware of the designated person responsible for child protection and how to contact them.

II. IMPLEMENTATION AND MONITORING

ADRA Vietnam will take the following measures to ensure effective implementation of this policy:

- a) Roles and responsibilities for child protection implementation are included in key documents such as employee contracts, MoU's and volunteer/intern agreements.
- b) All ADRA personnel and volunteers are required to sign that they will adhere to ADRA's Child Protection Codes of Conduct (See ANNEX 1). Visitors and Contractors are oriented by ADRA personnel to fully adhere to this policy. Whereas possible and necessary, visitors and contractors are required to sign on the policy document (See ANNEX 2).
- c) All ADRA Vietnam Personnel are required to go through child-safe recruitment and screening processes, including criminal record checks prior to engagement, behavioural based interview questions and documented verbal referee checks.

- d) All ADRA Vietnam Personnel will undergo mandatory child protection training as part of orientation.
- e) ADRA Vietnam have a designated child protection staff member to assist program staff with all child protection policy advice.
- f) ADRA Vietnam expects that partner organizations have a locally contextualized child protection policy that meets the minimum standards as given in this document.

III. REPORTING

ADRA Vietnam's allegation reporting and management processes apply to child exploitation and abuse and to non-compliance with or breaches of this policy and the Child Protection Code of Conduct. The development, implementation and continual monitoring of an effective allegation and incident management system is essential to ADRA Vietnam's efforts to protect children from all forms of abuse and exploitation.

- *Incident Reporting*

All ADRA Vietnam personnel are required to report immediately to the ADRA Vietnam Child Protection Focal Point, any known incident or suspected concern of child abuse and exploitation.

Any report made to ADRA personnel by the child should be treated seriously. Immediate steps should be taken to ensure the child's protection. Family/carers should be informed of the issue and of the action proposed and consulted as the incident is dealt with by ADRA.

- *Documentation*

Within 24 hours, a full written report should be prepared which details all aspects of the alleged incident/concern. This should give full details of person/s involved, times, places, witnesses, and what occurred. (See ANNEX 3 for Report Format)

- *Confidentiality*

All parties to the incident should be guaranteed full confidentiality. This includes the victim, the alleged perpetrator, and the individual reporting the incident. Only those required to deal with the situation shall be privy to the details of the incident.

All incidents and alleged incidents of child abuse and exploitation are handled with sensitivity and confidentiality, to the extent permitted by relevant laws. However, the best interests and safety of the child or other children is paramount and in some cases reporting of incidents and allegations may occur where this is required or appropriate, even if the child or party concerned is reluctant to give their consent. Concerns that arise are always directed through the above formal procedure. All documentation of any allegations made, either electronic or paper, is to be kept in a secure place at all times.

IV. RESPONDING

A prompt and appropriate response ensures that the situation is not perpetuated and that all individuals involved are clear on issues and actions to be taken. The following steps outline the appropriate responses to be taken:

- *Distance the parties*

The first step to be taken when an incident is reported is to distance the victim and the suspected abuser. This would normally involve suspending the staff member from their employment immediately subject to investigation of the issue. Staff members are entitled to a just process of investigation with no presupposition of guilt or innocence. The staff member shall be informed of the allegations and steps to be taken. They shall be given the opportunity to respond to these allegations and participate in the investigation as desired.

- *Formal Complaint Process, Investigation and Determination*

Once the incident has been reported to the appropriate personnel, the Child Protection Focal Point commences internal investigations of the incident. Conducting or arranging an internal investigation to determine if ADRA Vietnam Child Protection Policy and Procedure has been breached in a timely manner and using external legal or expert advice if required.

This shall involve interviews of all parties involved including witnesses to gather all relevant details of the allegation. Such a process shall be documented at all steps.

Should the allegations be found to be true, then appropriate disciplinary measures, potentially involving termination from employment and necessary legal recourse include reporting to local authorities and police be taken. Appropriate details regarding this incident should be provided to future potential employers seeking references on the individual.

Should allegations found to be without base, then appropriate steps should be taken with all parties to minimize damage to the reputation of the individual accused and ensure that all parties are satisfied with the findings.

ANNEX 1 - Child Protection Code of Conduct

I _____ (*insert name*) acknowledge that I have read and understood the Child Protection Policy and Child Protection Procedure and agree to abide by it and the following expectations in my work with ADRA Vietnam.

I WILL:

- a) Disclose to the Country Director any criminal conviction or accusation of prior child protection breaches whilst employed or associated with ADRA Vietnam or any other organization.
- b) Treat children with respect regardless of race, color, sex, language, religion, political or other opinion, national, ethnic or social origin, disability or other relevant status.
- c) Not use language or behavior towards children that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate.
- d) Not engage children in any form of sexual intercourse or sexual activity, including paying for sexual services or acts.
- e) Not develop special relationships with a specific child, show favouritism or give gifts or particular attention to a child.
- f) Wherever possible, ensure that another adult is present when working with or near children.
- g) Avoid involvement in unsupervised one-on-one counselling with children.
- h) Not invite unaccompanied children into my home or hotel, or into a closed room unless they are at immediate risk of injury or physical danger.
- i) 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.
- j) Use any computers, mobile phones, video cameras, cameras or social media appropriately, and never to exploit or harass children or to access child exploitation material through any medium (see "Use of children's images for work related purposes' below).
- k) Not use physical punishment on children (excluding my own children).
- l) Refrain from hiring children for domestic or other labor 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.
- m) Comply with all relevant national and local legislation, including labor laws in relation to child labor.
- n) Immediately report concerns, suspicions or allegations (including any allegation by a child) of child exploitation and abuse and breach or non-compliance with the child protection policy in accordance with appropriate procedures.
- o) Be aware of behavior and avoid actions or behavior that could be perceived by others as child exploitation and abuse.

When photographing or filming a child for work related purposes, I must:

- a) Before photographing or filming a child, assess and endeavor to comply with local traditions or restrictions or requirements for capturing and/or reproducing personal images
- b) Before photographing or filming a child, obtain verbal consent from the child or a parent or guardian of the child, and where required, obtain a parental signature on a release form, provided buy either. As a part of this, I must explain how the photograph or film will be used.
- c) Ensures photographs, films, videos and DVDs presents 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.
- d) Ensure images are honest representations of the context and the facts.
- e) Ensure file labels do not reveal identifying information about a child when sending or storing images electronically.

I understand that the onus is on me, as a person engaged by ADRA Vietnam, to use common sense and avoid actions or behaviors that could be construed as child exploitation and abuse when implementing or participating in ADRA Vietnam activities. Conduct that goes against any of the above points or that does not comply with the Child Protection Policy will not be tolerated and will constitute grounds for disciplinary action including termination of employment contract or volunteer/intern assignment, and result in legal proceedings.

I understand my obligation to immediately report any allegation, concern or suspicion of abuse or exploitation of children or breach of or non-compliance with the child protection policy or this code of conduct to the child protection focal point.

Signed: _____

Position: _____

Name: _____

Date: _____

ANNEX 2 – Behavioural Expectations for Supporter Visits

I _____ (insert name) acknowledge that I have read and understood the Child Protection Policy and agree to abide by it and the following expectations during any contact with children throughout my supervised visit. I understand that complying with these expectations helps ADRA Vietnam to ensure safe environments for children.

I WILL:

- a) Remain with ADRA Vietnam staff/representative and ensure that I am in public places, in sight of staff throughout the visit;
- b) Be respectful and use polite language when speaking to children, and not discriminate for any reason;
- c) Never use physical punishment with children at any time;
- d) Never use language or behaviour that will shame or belittle children;
- e) Undertake not to hold, kiss, cuddle or touch a child in an inappropriate, unnecessary or culturally insensitive way;
- f) Undertake not to develop physical/sexual relationships with the children or other members of the community;
- g) Never take children, young people or families out of the community for any reason;
- h) Only take photographs with permission from the children, their families and ADRA Vietnam staff/representative;
- i) Only take photographs and images of children, young people, families or community members that are dignified and respectful and will ensure that children are adequately clothed in photos;
- j) Never use their images on the internet or public material without explicit consent, or use them in any way in which their location could be identified or their confidentiality or dignity could be breached;
- k) Keep my personal contact details confidential, including social media accounts, and not ask for details of the child or family (this is to ensure any contact is mediated by ADRA Vietnam);
- l) Report any inappropriate or suspicious behaviour by ADRA Vietnam staff/representatives or other supporters, or other child safeguarding concerns to the Child Protection Focal Point or use the email hien@adravietnam.org.

Signed: _____

Name: _____

Date: _____

ANNEX 3 - Child Protection Complaint Form

PART A - Complainant to complete

Person making complaint (can be anonymous):

Date:

Who is the complaint about:

Who was the victim of the breach of conduct (name and contact details desirable but not essential)?

When did breach of conduct occur?

What was the breach of conduct?

.....

.....

Where did breach of conduct occur?

Who else was involved in this breach of conduct?

.....

How did you come by this information about breach of conduct? Any other details you would like to add?

.....

PART B – CO to complete

Date received by ADRA Vietnam Child Protection Focal Point:

Was this complaint investigated? Yes/No

If No, why not?

.....

Is there evidence or suspicion of a breach of conduct? Yes/No

If No, what is the next step you will take?

.....

If Yes what disciplinary action or further investigation will take place? What is the final outcome of this complaint?

.....

Report submitted to ADRA Vietnam's donors? Yes/No

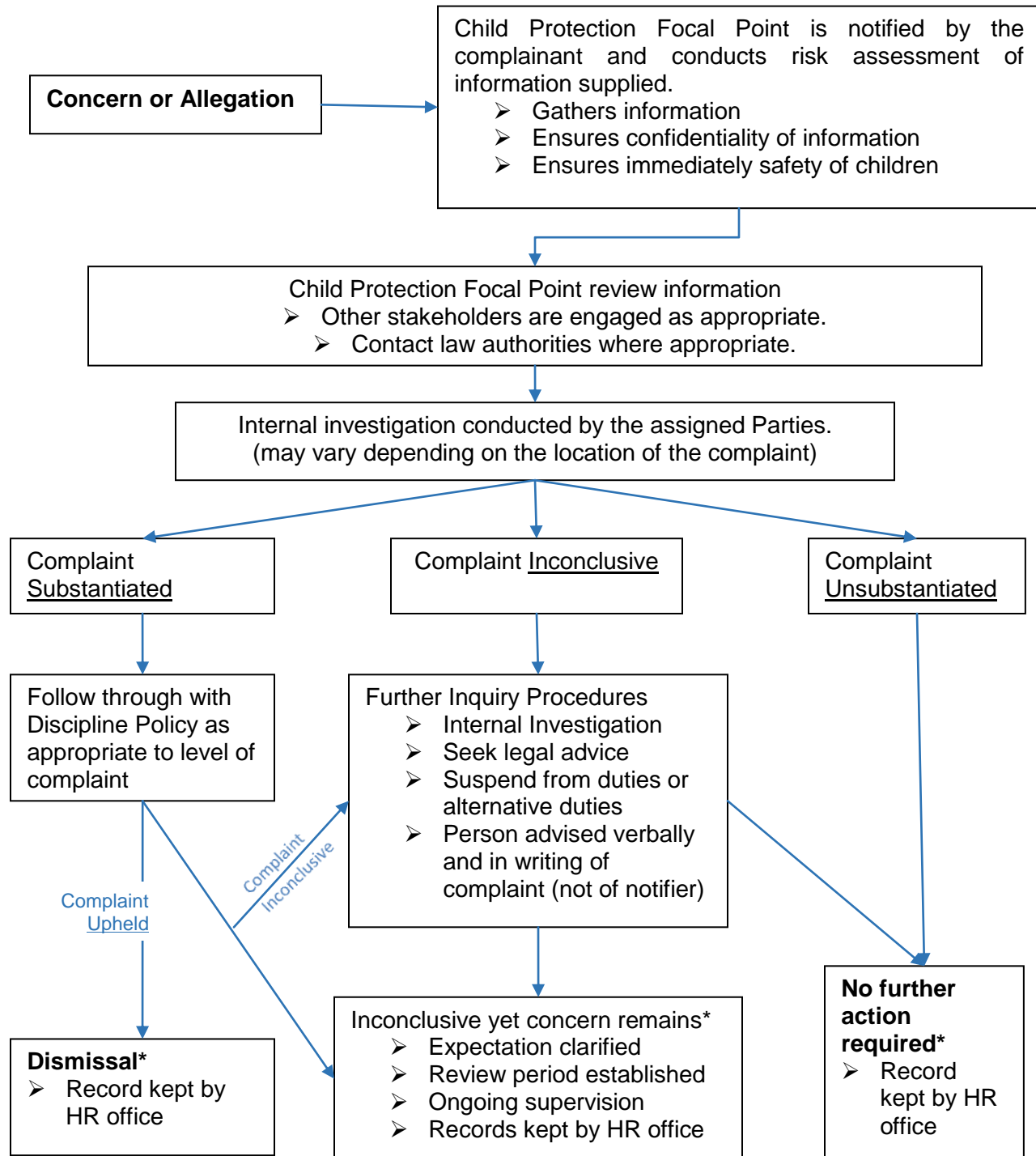
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Date of completion:

Any documentation associated with the complaints procedure and investigation should be filed together for future reference if needed.

It is important to keep records as several unproven or minor breaches may indicate a pattern of negative behaviour that is forming in a person and more supervision should be implemented with such Personnel around minors.

ANNEX 4 – Child Protection Response Process



ANNEX 5 – Program Risk Assessment Tool

Program/Event:	
Activity/Activities:	Date/s:
Description of venue:	Prepared by:
Aim/purpose:	Checked by:

RISK	RISK EVALUATION		
Consider physical, emotional, mental and spiritual events that may occur	Low/ Medium/ High	How will you attempt to ensure the risk doesn't happen?	What will you do if it does happen?
People Risks			
Equipment Risks			
Environment Risks			
Steps taken to minimize risk: (Contingency plans, actions, recommendations, etc.)			
Skills required by staff: Child Protection knowledge, how to identify warning signs,			
Safety equipment required:			