



# CHILD PROTECTION POLICY

## I. INTRODUCTION

The protection and empowerment of children and young people lies at the heart of Child Helpline Cambodia's purpose. However Child Helpline Cambodia (CHC) recognizes and acknowledges that all children and young people who will be served by the CHC are potentially at risk from abusers drawn to work with, volunteer with, or visit CHC. Similarly risks lie within the many agencies and organisations to which CHC will refer its client children and young people.

The United Nations Convention on the Rights of the Child (UNCRC) states that all children, without any exception, have equal rights to survival, protection, development and participation. Cambodia became a signatory to the UNCRC in 1992. CHC believes that we have a responsibility to uphold the values and guidelines of the UNCRC and to take action to protect all children and young people who approach CHC for protection, support and help.

In order to do so CHC has developed this Child Protection Policy to demonstrate its commitment to protecting and safeguarding the welfare of children and young people while they are being served by CHC personnel, and set guidelines for staff behaviour and for responding to allegations of abuse. Additionally CHC will require that its main referral partners have their own Child Protection Policies enforced. CHC will raise any concerns about the safety of children and young people it refers to other organisations and agencies with the managers of those organisations and agencies.

CHC is also committed to upholding the laws of Cambodia. CHC will not hire anyone under the age of 18. CHC will also strive to reinforce the articles stipulated in the Law on the Suppression of Human Trafficking and Sexual Exploitation. Specifically, CHC will not publicise any information divulging the identity or location of any children who are victims under this law (Article 49).

## II. PURPOSE OF THIS POLICY

The purpose of this policy is to set clear expectations of behaviour and good practice for all adults who are involved with CHC when working with or visiting children and youth and to inform its signatories what should be done if they have a concern about a child or suspect that a child or youth is being harmed in some way.

This policy provides all personnel, including paid staff, steering committee/board of directors members, volunteers, associates, donors, and visitors of CHC with guidelines for:



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- a) protecting children from abuse and potential abusers within CHC;
- b) investigating complaints and intervening in suspected or reported cases of child abuse that occur within CHC;
- c) interfacing with law enforcement, media, health and welfare agencies, and non-governmental organizations;
- d) protecting CHC personnel from false allegations of abuse;
- e) protecting the reputation and credibility of CHC;
- f) advocating for child-safe services with CHC's promotion and referral partners.

### III. STATEMENT OF COMMITMENT

- (a) CHC is dedicated to the empowerment and protection of children and their rights. CHC believes that child abuse and exploitation in any form is wrong. Keeping silent is also wrong, if it is known that a child is being abused or exploited.
- (b) CHC is committed to upholding international and national laws regarding child rights and welfare. This includes the UN Convention on the Rights of the Child which was adopted by the Cambodian Government in 1992, and all Cambodian laws pertaining to children and young people in the areas of abuse and exploitation.
- (c) CHC believes that all children and youth have a right to protection from abuse irrespective of race, ethnicity, social background, age, gender, skin colour, disability, religion or beliefs.
- (d) CHC believes in the importance of governmental and non-governmental organizations taking proactive and transparent measures to protect children from abuse that may be perpetrated by all personnel associated with that organization, including paid staff, steering committee/board of director members, volunteers, associates, donors, visitors and partner agencies.
- (e) CHC believes that children have the right to speak and be heard. Therefore, where possible, children will also be included as stakeholders, in research, and in relevant reports and evaluations.
- (f) All paid staff, steering committee/board of director members, volunteers, donors, and visitors will agree to and sign this child protection policy.



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### IV. DEFINITIONS

For purposes of this Policy, the following terms and concepts shall be defined as follows:

- (a) **Child/Children:** persons seventeen (17) years of age or younger
- (b) **Youth or young person/people:** people between the ages of eighteen (18) and twenty-five (25)
- (c) **Assisted child(ren) and/or youth:** refers to children and young people who approach CHC for counselling, support or protection. These are the clients and beneficiaries of CHC.
- (d) **Referral Partners:** means any other agency or organisation, governmental or non-governmental, which CHC refers its child and youth clients to for a service.
- (e) **Child Abuse:** refers to the maltreatment, whether habitual or not, of the child which includes any of the following:
  - Physical, sexual and spiritual abuse, neglect, cruelty, and/or psychological/emotional maltreatment;
  - Any act by deeds or words which debases, degrades or demeans the intrinsic worth and dignity of a child as a human being;
  - Unreasonable deprivation of a child's basic need for survival such as food and shelter; or
  - Failure to immediately provide medical treatment to an injured child resulting in serious impairment of his or her growth and development or resulting in his or her permanent incapacity or death.
- (f) **Physical Abuse:** refers to any act which results in non-accidental and/or unreasonable infliction of physical injury to a child which includes but is not limited to lacerations, fractures, burns, strangulation, human bites, shaking, suffocating, poisoning, drowning and other similar acts.
- (g) **Psychological/Emotional Abuse:** refers to any act which results in harm to a child's emotional, intellectual, or behavioural development and/or functioning, which includes but is not limited to cursing, belittling, rejecting, shaming, blaming and other similar acts.



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- (h) **Neglect:** refers to any unreasonable deprivation of a child’s basic needs such as food, clothing, shelter, education, medical, general care, and supervision by parents, guardians or custodian.
- (i) **Sexual Abuse:** any employment, use, persuasion, inducement, enticement, or coercion of a child to engage in, or assist another person to engage in sexual intercourse or any kind of sexual activity, prostitution of, or incest with a child. **Spiritual Abuse:** refers to the misuse of power, authority and/or trust by a spiritual leader or authority (organisation, institution, temple, church) with the intention of controlling, coercing, manipulating or dominating a child or youth. It is the misuse of power within a framework of spiritual belief or practice, in order to meet the needs of the abuser or enhance his or her position, at the expense of the needs of the child or youth.
- (j) **CHC Personnel:** all staff and visitors associated with the CHC, whether full-time, part-time, contractual or volunteer, as well as steering committee/board of director members, management committee members, donors, and visitors.
- (k) **Communications and Publications Materials:** refers to all forms of communication and publication, whether written or oral, through television, radio, internet or print media that contains information on children being served by CHC. This does not include legal documents filed or submitted in relation to administrative, civil or criminal cases.

### V. POLICY COMPONENT

#### A. CHC Personnel Recruitment, Screening & Hiring

1. Basic screening of applicants for employment, including paid full-time, paid part-time, and volunteer, includes a written application, personal interviews and reference checks. These screening mechanisms shall be completed in full before the individual is hired or allowed to participate in CHC activity.
2. During the interview process, there shall be a direct inquiry into whether the applicant has ever been accused or charged with any form of child abuse or misconduct involving children.
3. Where possible and permissible by local law, applicants are requested to give permission for a criminal record or police background check for any conviction related to the abuse of children.



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4. Applicants who have been convicted of, who have pending cases for, or have complaints lodged against them for any form of child abuse or related offences against children shall not be accepted for employment, whether as full time or contractual employees.
5. All CHC personnel are informed of the Child Protection Policy at the start of any recruiting process.
6. All CHC personnel are required to acknowledge in writing the receipt and understanding of the Child Protection Policy. They are to be kept informed of policy changes as they arise. Policies and standards are reviewed during orientation.
7. **All CHC personnel are required to undertake child protection training before coming into contact with children and youth.**

### **B. CHC Personnel Conduct with Children and Young People**

1. CHC personnel shall confer respect and dignity to all assisted children and young people.
2. CHC personnel shall know, understand, and adhere to the child protection policy in their daily activity and interactions with assisted children and young people.
3. CHC personnel shall not act in a way that places a child or young person at risk of abuse by others.
4. CHC personnel shall minimize the risk of child abuse through assessing and monitoring situations and making the necessary adjustments.
5. CHC personnel shall not engage in any act of psychological, physical or sexual child abuse, violence, or any act in violation of international and/or national laws on children's rights.
6. CHC personnel shall not touch the private parts of the child or young person's body, fondle, kiss, tickle, or commit sexual acts with children or assisted youth. (A general guideline is not to touch children/youth in areas that would normally be covered by shorts and t-shirt). CHC personnel will not flirt with an assisted child or young person. CHC personnel will always take responsibility for their own behaviour and will not



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respond in kind to what they perceive as a child or young person's flirtatious or provocative behaviour.

7. CHC personnel shall not commit any form of psychological abuse, such as verbally or physically intimidating, threatening, humiliating, degrading, shaming, blaming, coercing, or assaulting a child or young person.
8. CHC personnel shall not discipline a child or young person in a way that violates guidelines outlined in the Convention on the Rights of the Child (Article 1.8). This includes, but is not limited to, any spanking, hitting, pinching, torturing, threatening to hit or hurt the assisted child or his/her family, withholding food, sleep or bathroom usage, or physically or psychologically damaging the child in any way in order to discipline.
9. CHC personnel shall not develop relationships with assisted children or young people that could in any way be deemed exploitative, abusive, or culturally inappropriate.
10. CHC personnel shall not exploit a child by employing him or her (this does not include a child or young person's attendance at a vocational training course).
11. CHC personnel shall not have an assisted child or young person stay overnight in their home.
12. Where possible and practical, CHC personnel shall not be alone with children or young people whom are not their own offspring or relatives in a private place that cannot be readily seen by other responsible adults.
13. Regardless of age, CHC believes that any form of sexual exploitation is wrong and therefore CHC personnel shall not view or access any pornographic images or materials including but not limited to; films, DVDs, VCDs, CDs, websites, and printed literature or visit any kind of establishment with the intent of personal sexual gratification.
14. CHC personnel will not give their personal information to assisted children or youth, including home address and phone number, and will not arrange to meet privately with any assisted child or young person. Any in person contact with assisted children or youth must be conducted through the official channels of CHC.
15. CHC personnel shall not disclose any information verbally or by any other means, relating to CHC assisted children or youth, to anyone outside CHC except when



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- the information has been transformed into an anonymous general story or data which does not identify specific people or locations, or
- the child(ren) or young people involved have given their informed consent to share that information with others for a particular purpose e.g. to make a referral and gain services for that child/youth, or
- rules of confidentiality must be broken in order to protect the child or youth from serious harm or from causing serious harm.

### C. Publications, Communications and the Use of Electronic Media

1. All external publications, communications and use of electronic media must be pre-approved by the CHC Executive Director.
2. CHC personnel shall not access personal information of CHC social media followers and/or develop personal relationship with CHC social media followers through the use/access of CHC social media accounts that could in any way be deemed exploitative, abusive, and/or culturally inappropriate.
3. CHC personnel shall not take unauthorized photographs or video footage of any assisted children or youth.
4. The identities of the children shall be kept confidential in all communications and publications materials. The informed consent of the child and his or her guardian must be acquired if the image of a child will appear on video or in photos. If informed consent is obtained, the faces or the eyes of the children and anything that reveals their specific location shall be sufficiently blurred in order to protect their identity.
5. Children should be adequately clothed in photographs or images taken of them, not be posed in a way that could be interpreted as sexually suggestive, and, when possible, should be photographed in groups.

### D. Referrals of Children and Young People to Partners.

1. CHC will make Referral Agreements with all its main Referral Partners which will include assurances that the partner has and enforces its own Child Protection Policy and adheres to any other Laws and Guidelines (e.g. MoSVY's two Prakas on Minimum Standards on



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Residential Care and on Community Care for Children) that apply to the services they provide children and youth.

2. CHC will raise any concerns they have about the safety of children and youth in connection to the services provided by its Referral Partners either at the regular meetings CHC will hold with those partners or (in the case of serious allegations) to the Director or some other person with appropriate authority at that partner organisation/agency.
3. CHC will endeavour – wherever it is possible to choose from a number of service-providing agencies or organisations – to not make referrals to any organisation or agency that does not provide a reasonable quality, safe service for children and youth. CHC will establish systems to maintain and update a data base on referral partners which will include information about quality of services provided.

### **E. Training, Awareness, Evaluation and Monitoring**

1. This CHC Child Protection Policy will be available to personnel in both Khmer and English languages.
2. All CHC personnel are individually and collectively responsible for signing and upholding this child protection policy. If any one does not understand any part of the policy it is their responsibility to ask their supervisor or manager to clarify it.
3. The CHC Program Manager, Counselling Coordinator & Supervisors and Finance & Administration Officer are responsible for ensuring that all CHC personnel understand every aspect of the child protection policy and how it relates to their everyday interaction with children and other staff. Child protection policies and standards will be reviewed at all new-staff orientation sessions.
4. Thorough training will be provided to all CHC staff periodically on this Child Protection Policy and other related (e.g. Confidentiality) policies.
5. CHC will endeavour to keep up-to-date copies of Laws and National Guidelines that apply to the protection of children and young people, for reference by CHC personnel.
6. CHC managers, coordinator and supervisors are responsible for monitoring child protection issues, staff and volunteer training and education, and incident reporting. This



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can be carried out via CHC's regular individual and group supervision meetings and regular monitoring 'reflection' meetings with phone counsellors.

7. The CHC Program Manager is responsible for evaluating and updating the child protection policy every year to ensure that it remains relevant and effective. The Program Manager should also ensure that the child protection policy remains in accordance with national laws.
8. External evaluations should include an evaluation of the Child Protection, Confidentiality and Risk Assessment policies and the effectiveness of their implementation.
9. CHC personnel with direct contact with children and young people will – when it is appropriate and relevant - ensure that children and youth understand their rights, are educated on self-protection mechanisms, and know how and to whom to report suspected or actual abuse or abusers.

## VI. REPORTING AND INVESTIGATION OF SUSPECTED VIOLATIONS OF CHC's CHILD PROTECTION POLICY

### A. Internal Reporting

1. CHC personnel shall *immediately* report any suspected or actual violation of this child protection policy by other CHC personnel to the CHC Program Manager. If for any reason the staff member feels that it is inappropriate to report the suspected violation to the CHC Program Manager, for example if the Program Manager is suspected of perpetrating the abuse, or seems unable or unwilling to take appropriate action, then the personnel shall make the report to his or her direct supervisor, or to the CHC Steering Committee/Board of Directors. At this stage the report does not have to be written.
2. The CHC Program Manager shall immediately relay any allegations of suspected violations to the CHC Steering Committee/Board of Directors Chairperson and Deputy Chairperson. In the case that it was inappropriate to inform the CHC Program Manager, the supervisor who was told of the suspected or actual abuse must relay the allegation directly to the CHC Steering Committee/Board of Directors Chairperson and Deputy Chairperson.



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3. All reports of suspected or actual violations of the Child Protection Policy shall be kept confidential pending the completion of an initial internal investigation.
4. Failure by CHC personnel to report a suspected violation of the Child Protection Policy shall be subject to disciplinary measures, including suspension and termination.
5. CHC personnel shall not dismiss an assisted child or youth's accusation of abuse without following the outlined reporting procedures no matter who the child accuses.
6. CHC will establish as part of its monitoring and evaluation system, regular opportunities for assisted youth and children to give feedback – anonymous if they wish - on the service they have received from CHC and via referrals from other organisations and agencies.
7. Failure by CHC personnel to keep confidentiality about the alleged violation of the Child Protection Policy shall be subjected to disciplinary measures.

### **B. Internal Investigation**

1. All suspected violations of this policy shall promptly be investigated under the supervision of the CHC Program Manager. The manager will also inform and cooperate with the Chairperson and Deputy Chairperson of the Steering Committee/Board of Directors in this investigation. If either the CHC Program Manager or the Chairperson or Deputy Chairperson of the Steering Committee/Board of Directors is the person suspected of violating the child protection policy, then the internal investigation shall be supervised by the remaining responsible people. It is recommended that an investigation and an accompanying report be completed urgently - within 48 hours of the initial complaint - if that complaint is about abuse or exploitation of a child or young person.
2. Written records will be made of all facts relating to the allegation of a violation of the Child Protection Policy and to the investigation of that violation.
3. The internal investigation shall respect the rights, confidentiality, and safety of all parties involved including the alleged victim(s) and perpetrator(s).
4. Prior to the termination of the internal investigation, the CHC personnel member accused of violating the policy shall not have any contact with assisted children or young people.



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5. The facts of the allegation and its investigation and conclusions of that investigation shall be put in writing by the CHC Program Manager, if appropriate, or the Chairperson or Deputy Chairperson of the Steering Committee/Board of Directors.
6. The manager, Chairperson and Deputy Chairperson of the Steering Committee/Board of Directors (if appropriate) will then decide if a violation of the child protection policy has occurred and how serious it is and what action shall be taken against the person/people responsible.
7. If the internal investigation proves that abuse has occurred then all personnel involved, especially the child or young person abused, shall receive appropriate debriefing, counselling, medical care, and other appropriate forms of support.
8. If it is proven that the child protection policy has been violated the person violating the policy shall be subject to disciplinary measures, including suspension and termination, depending on the severity of the violation.

### C. External Reporting

1. Any suspected violation of this policy that is deemed to have merit and would constitute a violation of applicable law shall immediately be reported to the appropriate legal and/or law enforcement authorities. CHC personnel shall provide full cooperation to local authorities in the course of their investigation.
2. Even if local authorities are unable or unwilling to prosecute the suspected abuser, but the abuse has been proven by the internal investigation, the CHC Program Manager and Steering Committee/Board of Directors will still take action against the accused perpetrator, including termination of employment, notification of their Embassy (in the case of a foreigner) and also provide care giving services to the children abused and CHC personnel affected by the incident and investigation.

### VII. VIOLATIONS

CHC personnel who violate any of the provisions of this Policy shall be subject to disciplinary measures, including suspension and termination.

### VIII. DECLARATION OF COMMITMENT



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*To be signed by all CHC personnel as defined in Section IV. Copies of the signed Child Protection Policy will be provided both to the personnel member and also kept on file in the CHC administrative office.*

I declare that:

1. I have read and understand the Child Helpline Cambodia Child Protection Policy.
2. I will comply by and operate within the procedures laid out in the Child Helpline Cambodia Child Protection Policy.
3. I have not been accused or convicted of any offence involving physical, sexual, or psychological abuse of children or young people.
4. I understand that if a complaint is brought against me regarding the abuse of children while engaged in Child Helpline Cambodia activities, the allegation will be thoroughly investigated in cooperation with the appropriate authorities.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_