

OUTREACH MOLDOVA
ORM



**Child protection policy,
procedures and guidance**

Child protection policy, procedures and guidance

Outreach Moldova aims to safeguard children from abuse and exploitation in all that we do, in line with article 19 of the UNCR¹

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¹ United Nations Convention on the Rights of the Child.





Part One: OUTREACH MOLDOVA POLICY

All children have a right to protection from abuse, violence and exploitation. ORM works to create a safe environment for children who benefit from ORM Programmes.

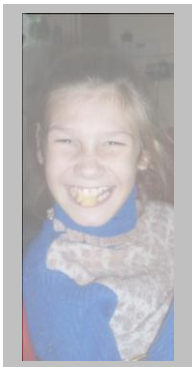
This mandatory policy is approved and endorsed by the Board of ORM and makes clear ORM's position on child protection. It applies to all staff, directors, trustees, and volunteers in ORM offices, including the Dublin and other representative offices.

It is essential that all staff, directors, trustees, volunteers, partners, international organisations, beneficiaries, donors and the general public are aware of its central messages and any duties/responsibilities it places on them.

It will be publicised and promoted in ORM material to relevant audiences.

All ORM representative offices will be expected to translate this policy into local languages and adapt the policy and procedures to ensure it is made relevant to their work. Partners² will be encouraged to develop a child protection policy and procedures. Future partnership agreements will include such a policy as part of the agreement.

Children and young people³ need protection and safeguarding for many reasons. They may need protection from the effects of poverty, disadvantage, exclusion and violence. But in addition to these economic, social, and political problems affecting large numbers of children, individual children may also be at risk from specific forms of abuse by adults or other children.



In this policy ORM is concerned with specific incidents of maltreatment against a child who is in contact with an ORM representative⁴.

It is not ORM's task to decide whether a child has been abused. ORM's task is to refer concerns to the correct authorities, if they exist.

If they do not exist, organisations dealing with children's rights need to be contacted.

This policy will be reviewed every two years, or whenever appropriate.

- 2 These are independent non-governmental organisation partners, registered locally, with their own board, national identity, strategy and name.
- 3 The term 'children' will be used to refer to those unmarried individuals who are under 18 years of age as recognised in the UNCRC.
- 4 'Representative' means any person presenting themselves to a child because of their relationship with ORM. This includes staff, volunteers, board members, consultants and supporters.



Part Two: Children's Rights

ORM's Vision is that each person who is physically, mentally or socially disadvantaged deserves to be given special treatment, education and appropriate care required by their particular condition **regardless** of circumstance.

ORM's Mission is dedicated to providing basic human rights, medical care and social justice for children that have been abandoned or orphaned, children with special needs and children with terminal illnesses in the Republic of Moldova.

In particular in line with Article 19 of the UNCRC, ORM's policy states that all children have a right to protection:

"...from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s), or any other person who has the care of the child."

Part Three: What is abuse and neglect?

Defining child abuse is a difficult and complex issue. A person may abuse a child by inflicting harm, or by failing to prevent harm. Children may be abused in a family, institution or community setting, by those known and trusted to them or, more rarely, by a stranger.



In Ireland there are four categories of abuse in general use⁹:

Neglect:

Neglect is normally defined in terms of an *omission*, where a child suffers significant harm or impairment of development by being deprived of food, clothing, warmth, hygiene, intellectual stimulation, supervision and safety, attachment to and affection from adults, or medical care.

Harm can be defined as the ill treatment or the impairment of the health or development of a child. Whether it is significant is determined by his/her health and development as compared to that which could reasonably be expected of a similar child.

Neglect generally becomes apparent in different ways over a period of time rather than at one specific point. For instance a child who suffers a series of minor injuries is not having his or her needs met for supervision and safety. A child whose ongoing failure to gain weight or whose height is significantly below average may be being deprived of adequate nutrition. The *threshold* or *significant harm* is reached when the child's needs are neglected to the extent that his or her well being and/or development are severely affected.

Physical Abuse:

Physical abuse is any form of non-accidental injury that causes significant harm to a child, including;

- i. Shaking
- ii. Use of excessive force in handling
- iii. Deliberate poisoning
- iv. Munchausen's syndrome by proxy (where parents or care givers fabricate stories of illness about a child in their care or cause physical signs of illness)
- v. Allowing or creating a substantial risk of significant harm to a child



Emotional abuse:

Emotional abuse is normally found in the relationship between a caregiver and a child rather than in a specific event or pattern of events. It occurs when a child's needs for affection, approval, consistency and security are not met. It is rarely manifested in terms of physical symptoms. Examples of **emotional abuse** include:

- i. Persistent criticism, sarcasm, hostility or blaming
- ii. Conditional parenting, in which the level of care shown to a child is made contingent on his or her behaviours or actions.
- iii. Emotional unavailability by the child's parent/caregiver
- iv. Unresponsiveness, inconsistent or inappropriate expectations of a child.
- v. Premature imposition of responsibility on a child.
- vi. Unrealistic or inappropriate expectation of a child's capacity to understand something or to behave and control himself in a certain way.
- vii. Under and over protection of a child
- viii. Failure to show interest in, or provide age appropriate opportunities for, a child's cognitive and emotional development.
- ix. Use of unreasonable or over harsh disciplinary measures
- x. Exposure to domestic violence.

Children show signs of **emotional abuse** by their behaviour (e.g. excessive clinginess to or avoidance of the parent /caregiver), via their emotional state (low self-esteem, unhappiness), or their development (non-organic failure to thrive). The *threshold of significant harm* is reached when abusive interactions become typical of the relationship between the child and parent/care giver.

Sexual abuse⁷:

Sexual abuse occurs when a child is used by another person for his or her gratification or sexual arousal, or for that of others.

For example:

- i. Exposure of the sexual organs or and sexual act intentionally performed in the presence of a child
- ii. Intentionally touching or molesting of the body of a child whether by a person or object for the purpose of sexual arousal or gratification
- iii. Masturbation in the presence of a child or involvement of the child in the act of masturbation
- iv. Sexual intercourse with the child, whether oral, vaginal or anal
- v. Sexual exploitation of a child
- vi. Consensual sexual activity between and adult and a child under 17 years of age.

⁶ These definitions from Ireland apply only as a guide when considered for global application.

⁷ The definition of child sexual abuse presented here is not a legal definition, and is not intended to be a description of the criminal offence of sexual assault.



Many beneficiaries of ORM are marginalised and some vulnerable children are particularly open to abuse such as disabled children, those from minority ethnic groups, street children, refugee and asylum seeking children and those who live with families where there are alcohol or drug problems, mental health or domestic violence.

In countries where ORM works there may be different definitions and understandings about what constitutes child abuse. In-country guidelines and procedures should be relevant and socially sensitive, while not undermining the principle that children's rights must be protected.

ORM's actions must represent the best interests of the child, as defined by the UNCRC. They cannot be merely a reflection of local behaviour, if that behaviour permits abuse.

Who Abuses

Most children are loved and cherished by parents, carers and communities. Similarly most people working with children recognise they are in a special position with respect to the influence and power they wield. But ORM recognises it needs to be vigilant since those who want to abuse and harm children exist in all societies, cultures and organisations.

International children's organisations, such as ORM, provide possibilities for befriending and establishing relationships with vulnerable children and must therefore be vigilant to the possibility that a small minority of individuals may abuse their position to gain access to children.



ORM has projects where individual children are sponsored. The substantial majority of child sponsors are genuine and have no ulterior motives in supporting projects that help children they sponsor.

It is ORM's duty to protect children from any sponsor who may want to misuse the sponsorship system. The protection applies to sponsors' visits to projects and to defining what is appropriate for sponsors in the areas of behaviour, correspondence, gifts and visual information⁸.

Children are also vulnerable to abuse by other children.

Part Four: Procedures

The responsibility for managing this policy lies with the Children's Policy Manager, supported by the Chief Executive and Board. All serious concerns will be referred to these staff in Moldova and Ireland.

Every representative office will appoint designated person(s) who will have responsibility for the implementation of the child protection guidelines and procedures in their programme and office(s).

The contact goes via designated person(s) in the field, to the managers in Dublin. Or it may go directly to the managers in Dublin, according to the flow chart⁹. Any final decision lies with the ORM Senior Management Team and the Chief Executive.

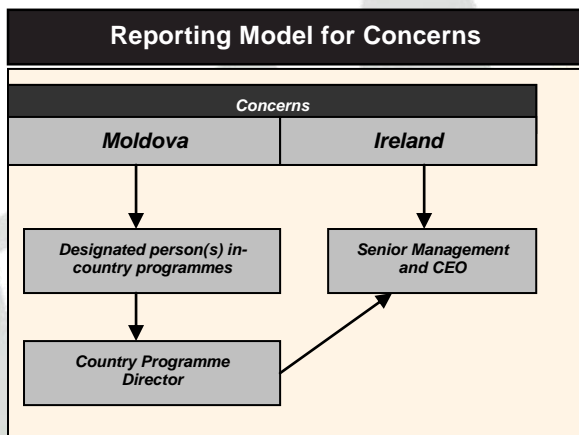
⁸ See 'ORM Volunteer release and agreement form'.

⁹ Flow chart on page 11



All information relating to any concerns about abuse by ORM staff, trustees and volunteers must be sent and/or copied to the Dublin office so that all incidents, minor or major are recorded. This information will be kept securely and confidentiality will be respected. Confidentiality will only be breached if and when it is in the best interests of a child.

A simple Referral Form¹⁰, available in local languages in country programmes, will enable referral to the managers in Dublin. The form will be discussed with beneficiaries (including children and their parents/carers). This will be a participative exercise in line with ORM’s child rights based approach. The form must be posted, emailed or faxed to the CEO in the Dublin office within 12 hours of any concern being raised.



Any serious concerns about a child’s welfare in a country programme where no specific allegation is made will be referred to the Country Programmes Director who will communicate with the Regional Programmes Manager.

¹⁰ Referral Form in Appendix 1

This applies to country programmes where project workers may come across families where children are being maltreated.

In Ireland all concerns should be referred to local health board/police department.

The ISPCC Child Protection Helpline (1850 50 40 50) can also be called in situations where some external advice or guidance is needed.

In other countries, referrals will depend on existing legislation. Each representative office needs to investigate the situation in their country. The best interests of the child should always be the overriding concern.

Details of contacts for the police and local social services departments will be available in the Dublin office and kept by the managers. Similar locally relevant information will be available in the field.

ORM aims to create a safe organisation for children, but also to keep child protection concerns proportionate and to guard against the growth and promotion of over-zealous attitudes.

The best interests of the child are of paramount concern and any urgent medical need should be addressed as a priority.

Explaining the policy and procedures will form part of the induction process for new staff, trustees or volunteers in Dublin and in the field.



Part Five: Prevention

Recruitment

ORM will strive to ensure that it applies the highest standards in its recruitment and vetting policies as laid out in the ORM Staff and Volunteers Handbook

In representative offices similar checks will exist in the child protection guidelines and procedures where local staff is employed according to labour and employment codes of each country. Candidates will be checked for their suitability for working with children and their understanding of child protection.

Safeguarding checks, such as disclosure of previous convictions or police checks (if disclosure is unavailable), forms an important part of this recruitment policy. If police checks are impossible then other checks must be put into practice and noted. This to include checking evidence of identity, authenticity of qualifications, self-declaration about previous convictions and taking up at least two references.

Disclosure or police checks will also be completed when visitors (not previously checked) want to see children's projects in the field or are contracted to work there¹¹.

Duty of Care

ORM takes its duty of care very seriously and all programmes, including child sponsorship projects, must comply with rules and regulations¹².

¹¹ "Volunteer Agreement and Release Form".

¹² "Staff and Volunteer Handbook"

Transporting children and taking them away to summer camps or other activities will be covered by each country's child protection guidelines. This will vary according to regulations in each country. Where there is no guidance, the country programme should have its own policy that best safeguards children.

Written material and visual images used by ORM or sponsors need to be checked as being appropriate and not denigrating for any child. Photographs, films of children and websites, must show respect for children, be in their best interest and conform to ORM's policy on 'Use of Visual Images'.

Part Six: Codes of practice and behavior

ORM's codes, principles, standards and procedures aim to help build a safe organisation. Through defining what is and is not acceptable behaviour, good practice can be promoted and opportunities for abuse minimised (see ORM Staff and Volunteers Handbook).

Programmes that implement projects for children, families and communities, including child sponsorship projects, need to be implemented in a safe environment.

ORM's Staff Handbook includes information on Code of Conduct including whistle blowing, disciplinary procedures, grievance procedure, harassment policy, and equal opportunities.

ORM representative offices are to include similar codes in their child protection guidelines including codes on the behaviour of adults towards children and of children towards other children, including disabled children where relevant.



In addition, ORM adheres to the Core Principles of the United Nation's Task Force on Preventing Sexual Exploitation and Abuse in Humanitarian Crises 2002.

These apply to implementing projects for children, families and communities and apply irrespective of whether there is an emergency situation or not.

- Sexual exploitation and abuse by project workers constitute acts of gross misconduct and are therefore grounds for termination of employment.
- Sexual activity with children is prohibited regardless of the age of majority or age of consent locally. A mistaken belief about a child's age is not a defense.
- Exchange of money, employment, goods, or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour are prohibited.
- Sexual relationships between project workers and beneficiaries are strongly discouraged since they are based on inherently unequal power dynamics. Such relationships would undermine the integrity of work to help vulnerable and excluded children.
- Where a project worker develops concerns or suspicions regarding sexual abuse or exploitation by a colleague, whether in the same organisation or not, s/he must report such concerns in accordance with the system and procedures in place.

Part Seven: Communication and Implementation

ORM beneficiaries, including children, need to be aware of this policy and of their right to be protected from abuse.

Information will be displayed in field offices presented in an appropriate format and in the local language so that children will understand.

All parties are to be informed that they can communicate their child protection concerns.

Part Eight: Training

Staff will be trained so they understand why it is necessary to protect children. This will help them develop the necessary skills.

A basic level of child protection training should take place throughout the organisation.

Training will be planned for relevant staff and budgets need to be planned to include the cost. Social work technical advisers, local NGOs or local trainers could be additional training resources for country programmes.

Training should be requested in particular areas that present difficulties.

Part Nine: Implementation and monitoring

The policy will be monitored and evaluated to check that all safeguards are in place and that the policy is being properly implemented.

The policy is to be evaluated after two years implementation, or whenever appropriate.

Processes are to be put in place by the Country Programme Directors so that all major stakeholders, including children, families and communities will be consulted as part of an evaluation.

All complaints received are to be recorded and kept safely. Confidentiality will be respected in all circumstances except where necessary to protect the best interests of a child.

Part Ten: Support

Child abuse is a difficult and emotional subject for the child victim and for the staff dealing with the issue. ORM will support staff who disclose abuse, refer concerns or are involved when an incident has happened (see: 'Whistle Blowing' in Staff Handbook).

Dublin-based Programmes staff will refer people on to other organisations for counseling or treatment. The same system of referrals would take place in the field when necessary by the designated person(s) and Country Programme Directors.



REFERRAL FORM

Are you reporting your own concerns or passing on those of somebody else? Give details.

Brief description of what has prompted the concerns (include dates and times of any specific incidents):

Observations made by you: Physical signs? Behavioural signs? Indirect signs?

Have you spoken to the child? If so what was said?

Has anybody been alleged to be the abuser? If so give details.

**Have you consulted an external agency or reported this to anyone else?
Give details (name of person, name of organisation, date and time).**

Does the child require medical attention?



REFERRAL FORM

About You

Your name and email address:

Your Relationship with ORM:

Your Relationship with the Child Concerned – if relevant

About the Child/Children:

Name of Child: _____

Age and Date of Birth of the Child: _____

Residence of the Child: _____

Who does the Child Live with?: _____

Address/Place of residence (and Tel No. if available)



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