

# Child Protection Guidelines

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## Revision history

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## 1. Purpose

These Guidelines elaborate on the Trust Code of Conduct and the Business Partner Code of Conduct to provide further information and interpretation for the implementation of the Policy with regards to protection of Children from exploitation and abuse of all kinds in the delivery of development projects by the Trust.

## 2. Applicability

These Guidelines are applicable to all Trust operations and all Representatives of the Trust. They also apply to joint ventures where the Trust has a controlling interest and to any project where the Trust has responsibility for the functions of the Responsible Official. Any deviation from these Guidelines requires the approval of the Responsible Official.

The Trust has in place Policies, SOPs, Business Processes and Tools to support implementation of these Guidelines.

The Responsible Official, with input from the business as appropriate, is responsible for preparing and implementing these Guidelines and the related SOPs, Business Processes and Tools.

## 3. Definitions

“Abuse” means including, but not limited to, physical, sexual, emotional, neglect, bullying, or child labour.

“Business Partner” means any contractor, subcontractor, grantee, sub-grantee, awardee, sub-awardee, law firm, affiliate, vendor, supplier, landlord or organization providing goods or services to the Trust.

“Business Process” means a sequence of linked tasks and related decisions that result in or contribute to the delivery of a product or service.

“Child” or “Children” means a person or persons below the age of 18, unless the laws of a particular country set the legal age for adulthood younger.

“Child Protection” means the responsibilities and activities undertaken to prevent children being harmed through abuse.

“Child Abuse Materials” means material that depicts (expressly or implicitly) a child under 18 years of age as a victim of torture, cruelty or physical abuse.

“Child Exploitation and Abuse” means one or more of the following:

- 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; or
- Committing or coercing another person to commit an act or acts of grooming or online grooming.

“Trust” refers to Agricultural Partnerships Trust.

“Contact with Children” means being engaged in an activity or in a position that involves or may involve contact with children, either under the position description or due to the nature of the work environment. This means physical contact, face-to-face contact, oral communication, written communication or electronic

communication. Contact covers contact with children in the community not associated with but potentially impacted by the work being performed.

“Electronic Resources” are all items that are the responsibility of the Trust, including computer equipment, network infrastructure, software, operating systems, storage media, network-based services (e.g., e-mail, Internet access), file and print services, video, telephone, office equipment (e.g., furniture), and computing accessories (e.g., DVD drives, mice, keyboards).

“Emotional Abuse” means subjecting or exposing another person to behaviour that may result in physical or psychological trauma, including anxiety, chronic depression, or post-traumatic stress disorder.

“Employee” means any person who has a part-time, full-time, intermittent, continuous or fixed-term employment relationship with the Trust.

“Grooming” generally refers to behaviour that makes it easier for an offender to procure a child for sexual activity. For example, an offender might build a relationship of trust with the Child, and then seek to sexualise that relationship.

“Guidelines” means the written elaborations on Trust policy that provide further information and interpretation for the implementation of policy.

“Neglect” means the persistent failure or deliberate denial to provide needed, age-appropriate care where the caregiver is in a position to be able to provide such care.

“Physical Abuse” means where a person deliberately injures or threatens to injure, including slapping, punching, shaking, kicking, burning, or grabbing.

“Pornography” means printed or visual material of men, women, or children, containing the explicit description or display of sexual organs or activity, intended to stimulate sexual excitement.

“Representative” means an Employee or any person who has an independent individual contractual relationship with the Trust, whether as a contractor, consultant or agent of the Trust. This includes non-executive directors of the board.

“Sex Tourism” means the sexual exploitation individuals, including children, by people who travel, usually from a developed country to a less developed country, to engage in sexual acts.

“Sexual Abuse” means where an adult, adolescent, or another child where there is a significant age difference uses a child for sexual stimulation.

“Standard Operating Procedures” or “SOPs” are the detailed written descriptions of Business Processes that aim to ensure consistency and quality in process execution.

“Tool” means templates, forms, charts, informational and any other material prescribed for use in conjunction with an element of a Policy, Guidelines, SOPs and Business Process.

“Working with Children” means being engaged in an activity with a child where the contact would reasonably be expected as a normal part of the activity and the contact is not incidental to the activity.

## 4. Guidelines

## 4.1. Scope

These Guidelines expand upon the Trust Code of Conduct and the Business Partner Code of Conduct which outline the ethical standards and acceptable behaviour that are applicable to all Trust operations and all Representatives of the Trust. Breaching the Trust Code of Conduct (Compliance Policy) and/or the Business Partner Code of Conduct is considered a serious offence and carries with it disciplinary action, including immediate termination. Further, if criminal activity is suspected, the Trust will report to the relevant authorities as applicable.

These Guidelines are used to develop operational procedures and monitoring systems specific to each project to evaluate and manage any risks to Children.

## 4.2. Commitment to Child Protection

The Trust is committed to the safety and protection of all Children that we encounter in our work and believes that all Children have the right to be free from violence, abuse, and exploitation of any kind. Further, the Trust embraces and respects the cultural and social diversity of the countries in which we work and places great importance on operating with honesty and integrity. As such the Trust is committed to the protection of Children and these Guidelines build upon the Trust's core value of respect for the individual in all aspects of our work.

## 4.3. Relevant laws

These Guidelines respectively follow the UN Convention on the Rights of the Child; DFAT Child Protection Policy 2017 and Guidance Notes; USAID's Policy/Guidance on the Implementation of USAID Child Safeguarding Standards updated in 2015; DFID's Safeguarding Children Rules; and national laws including local child protection authorities (CPA) pertaining to the protection of children in the countries where the Trust works.

## 4.4. Guiding principles

- Zero tolerance of child exploitation and abuse

Any form of Child Abuse (including accessing or possessing Child Pornography) is unacceptable and may result in disciplinary action including termination or referral to local law enforcement authorities, as appropriate.

- Recognition of the best interests of the Child

The Trust supports the right of all Children to be safe, especially those with disabilities or who are living in areas impacted by instability. All decisions affecting Children participating in Trust projects will be made in accordance with these Guidelines and in the best interests of the Child.

- Sharing responsibility for Child Protection

Business Partners working with the Trust are also responsible for supporting the Trust's Child Protection efforts.

- Risk management approach

The Trust recognises that there are potential risks to Children in some areas of our work and will periodically conduct risk assessments in order to manage risks associated with Child protection across our projects.

- Procedural fairness

The Trust is committed to providing due process and balance when responding to concerns or allegations related to child exploitation and abuse.

## 4.5. Standards for Child Protection

### 4.5.1. Training for Representatives

All Trust Representatives will receive training on Child Protection issues, policy enforcement and responsibilities such as reporting, risk management, abiding by the Code of Conduct and relevant laws and specific policies as relevant<sup>1</sup>; project staff will receive training on project Child Protection operational procedures on a yearly basis.

### 4.5.2. Use of Children's images

When photographing or filming Children for work related purposes the Trust will:

- Assess and endeavour to comply with local traditions or restrictions for reproducing personal images before photographing or filming a Child;
- Explain how the photograph or film will be used and obtain informed written consent from the child's parent or legal guardian before photographing or filming a Child;
- Ensure photographs and films however recorded and stored present Children in a dignified and respectful manner and not in a vulnerable or submissive manner;
- Ensure that Children are adequately clothed to avoid them being misused or breaching the child's privacy and dignity;
- Ensure that Children are not in poses that could be interpreted as sexually suggestive, giving due consideration to the different cultural contexts;
- Never use images of a child who has died or is in severe distress without any visible signs of help nearby;
- Ensure images are honest representations of the context and the facts;
- Ensure that physical and electronic labels of photographs and films do not reveal identifying information about a Child; and
- Consider watermarking images online to deter images being misused.

### 4.5.3. Recruitment practices

The Trust has robust recruitment practices that minimise the risk of engaging Representatives who may pose a risk to Children. All interviewees are required to provide proof of identity such as a passport or current driving license. All interviewees are provided a copy of the Trust Code of Conduct (Compliance Policy) and its contents and principles are explained, including the section on child protection. All employees are required to sign a written acknowledgment confirming that they have been made aware of, read, understood and will abide by and act in accordance with the Trust Code of Conduct (Compliance Policy).

For candidates applying for positions that involve Working with and/or Contact with Children, child safe recruitment processes will be implemented.

#### 4.5.3.1 Child safe recruitment process

- Job advertisements contain reference to the Trust's commitment to protect Children.
- Positions advertised are assessed for the level of contact with Children.
- Job descriptions include:

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<sup>1</sup> See 4.3

- Expectations and responsibilities under the Code of Conduct and the child protection guidelines in line with the assessment of the position;
- Relevant experience needed if the job involves working with children;
- Information on the child safe recruitment screening practices that will apply to positions that require contact with children and working with children.
- For roles Working with Children, interviews will include behavioural based questions and verbal referee checks will be conducted.
- For all roles involving Contact with or Working with Children either under the position description or due to the nature of the work environment, a thorough background check will be conducted including a detailed history of employment and education to confirm that they possess relevant qualifications and present no increased risks. Criminal record checks will be carried out prior to engagement and, once engaged, every 5 years, covering a five-year history, and obtained from any country in which the candidate resided for more than 12 months over that period as well as from all the individual's countries of citizenship. Where criminal checks cannot be obtained from the countries required or are not of adequate reliability, candidates will be required to sign a Statutory Declaration or legal equivalent<sup>2</sup>
- Information to selected candidates includes Child Protection Guidelines, Code of Conduct and other related policies.

At any point in the recruitment process, if it is found that a candidate would pose a risk to Children, recruitment will not proceed.

#### 4.5.4. Use of technology

The Trust recognises that the internet, mobile phones, business computers and other forms of information technology can be used as an avenue for Child Abuse. Any indication of inappropriate activity against a Child either in person, online or via electronic media must be reported immediately as outlined by these Child Protection Guidelines and the Code of Conduct.

Trust Representatives must use Electronic Resources and social media appropriately, and never exploit or harass Children or access Child Exploitation Material through any medium. Further, Trust representatives must ensure the secure use, storage, transfer and disposal of all data relating to Children (including, personal data, images etc.). Any files relating to Child Abuse / Exploitation allegations or investigations must be kept in a secure place, and only designated persons will have access to the files. Electronic data must be password protected, and hard copies stored in a locked filing cabinet.

#### 4.6. Business Partner engagement

All Business Partners that work with Children are expected to have a child protection policy in place. The Trust will request Business Partners to provide the organisation's child protection policy prior to engagement to assess its compliance with the Trust's requirements, in line with prevailing Client standards.

If the Business Partner is expected to be in Contact with Children or impacts on children, the Trust will identify the level of risk as relevant to the program, activity or grant through the Full child protection risk assessment. If the project/activity/grant is assessed as low risk, the Trust will apply the appropriate minimum child protection standards to manage the risk, in line with prevailing Client standards.

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<sup>2</sup> For DFAT funded projects, refer also to Guidance Notes on Criminal Record Checks and on Recruitment and Screening

#### 4.7. Employment contract provisions

Where the Trust's risk management structure indicates that a Representative poses an unacceptable risk to Children, or if there is suspected breach of the Code of Conduct and/or the Child Protection Guidelines, the Trust will investigate and reserves the right to proceed with disciplinary action, including termination, referral to local law enforcement authorities, and suspension or transfer to other duties for any employee who is under investigation for breaching the Code of Conduct and/or the Child Protection as appropriate.

#### 4.8. Risk evaluation

Representatives are obliged to assess, review and manage risks to the projects the Trust manages, and ensure knowledge of and adherence to relevant client requirements. In this context, project risks relating to Child Protection must be assessed, reviewed and managed as part of the risk management process and throughout the project lifecycle. The Child protection project compliance and risk assessment must be completed annually and updated as required; additional Tools such as the Full child protection risk assessment should be used as required. Where projects identify risk, monitoring and control systems will be implemented. Risks to Children will be reviewed and alerts and recommendations will be provided as appropriate to both Representatives and Business Partners.

Factors which present a high risk to Child safety and protection include:

- Children who are very young; have been abandoned, orphaned, or otherwise without a carer; have a disability; have been displaced; or have experienced conflict or have been abused.
- Representatives who have not been screened carefully, including police checks or are not supervised adequately.
- Locations which are: isolated, secluded or otherwise difficult to access; experiencing political unrest or threats to security; overcrowded; or home-based meaning those that are in community households.
- Activities which involve: one to one interaction between Children and adults including physical contact; unsupervised visitors; or Representatives working alone.

#### 4.9. Incident management

Incident management process is outlined in Investigations SOPs and include the need to immediately report any suspected or alleged instances of child abuse, exploitation, harm or child protection policy noncompliance using the compliance telephone hotline +265(4)744559 or the compliance email hotline at [michael@apt.co.zw](mailto:michael@apt.co.zw)

When a report of misconduct involving a Child is made, appropriate project Representative assesses risks and includes the following in the investigation report:

- Child(ren) who may be at risk;
- Possible risk of harm to Child(ren);
- The Representative who is the subject of the allegation; and
- The organization of the investigation.

After discussion with Director, Risk Management and Project Director and, as appropriate, client Child Protection authority, project Representative also:

- Notifies relevant Child Protection authority and/or police;
- Plans investigation, gathers information, makes a finding and takes action.

#### 4.10. Periodic review

These Guidelines will be reviewed every five years, or more frequently if required.

#### 4.11. Duty to comply

It is the responsibility of each Representative of the Trust to fully comply with these Guidelines. Failure to comply may be subject to disciplinary action including contract termination, contract non-renewal or other appropriate action.

#### 4.12. Reporting

Pursuant to 4.9 requirements, all Representatives are obliged to report any incidents or behaviour they may witness which involves or they believe involves child abuse, exploitation, or other mistreatment of children including those that give rise to concerns over the welfare or safety of the Children involved. This includes observing another Representative accessing Child Pornography. Representatives are required to report violations of these Guidelines to their manager or through the Trust's Whistle-blower mechanism (phone: +263(4)744559 email hotline at [michael@apt.co.zw](mailto:michael@apt.co.zw)). All reports will be made as soon as reasonably practicable and the matter will be dealt with pursuant to the Trust Code of Conduct (Compliance Policy).

The Trust will take all such reports seriously and will follow applicable Trust policies as well as Project-specific operational procedures. All parties will be treated fairly and malicious or deliberately false allegations will be subject to disciplinary action, including termination.

Based on the allegation, where appropriate, the reports may be forwarded to relevant local law enforcement or the local Child Protection authority as available.

Before reporting to local authorities, the Trust will take into account the following:

- The treatment the Child may receive from local authorities e.g. will the child be victimised?
- Who and how will long term support be provided to the Child?
- Will the Child be ostracized by their community or family?
- How the media will be managed where cases become public?

None of the above justify non-disclosure, but these concerns must be managed appropriately.