

# ACT Alliance Child Safeguarding Policy

## May 2015

*Approved by the ACT Alliance Governing Board, May 2015*

### I. Introduction

*The ACT Alliance, in strengthening its mechanisms for the protection of affected populations we work with, has developed this Child Safeguarding Policy to minimize the risk of harm to children who come into contact with ACT Alliance activities and those working with or associated with ACT Alliance members.*<sup>1</sup> This Policy complements, but does not replace, the ACT Code of Conduct for the Prevention of Sexual Exploitation and Abuse, Fraud and Corruption and Abuse of Power and the ACT Humanitarian Protection Policy. It also complements the ACT Code of Good Practice, the Inter-Agency Standing Committee Guidelines for the Prevention of Sexual Exploitation and Abuse, and the Principles of the Code of Conduct for the International Red Cross and Red Crescent Movement and NGOs in Disaster Relief.<sup>2</sup> It has been developed in line with global best practices, drawing on the Core Humanitarian Standard, SPHERE Standards, including the accompaniment Child Protection Minimum Standards, and the IASC-gender handbook in humanitarian action.

**Due to the nature of its work, ACT Alliance members work with some of the most vulnerable children all over the world.** Over the past few decades, we have all become increasingly aware of the particular risk of abuse and exploitation to children by those in positions of power and trust, including in humanitarian and faith-based settings. **To this end, the ACT Alliance expects each member to develop a board-approved, gender and disability-sensitive Child Safeguarding Policy which is specific and relevant to their local cultural and programmatic context<sup>3</sup> within 2 years of the adoption of this ACT Alliance Child Safeguarding Policy.** ACT Alliance members are expected to, at a minimum, adopt a Child

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<sup>1</sup> Please refer to Child Safeguarding Guidance Document, Definitions for a full definition of the types of harm to children

<sup>2</sup> <http://www.actalliance.org/resources/policies-and-guidelines>

<sup>3</sup> Please refer to the Guidance Document for further information on contextualizing a policy and procedures. Tools will also be made available on the ACT Alliance website

Safeguarding Code of Conduct within one year of the adoption of this Policy by the ACT Governing Board.

**The ACT Alliance believes that all forms of violence, abuse and exploitation are an affront to children's dignity as human beings.** We believe that all children have a right to be safe at all times, and that all children have equal rights to protection from all forms of abuse, neglect, and exploitation, regardless of their gender, nationality, age, religious or political beliefs, family background, economic status, legal status, ability, physical or mental health or criminal background, and that any form of child abuse or exploitation is unacceptable.

**The ACT Alliance recognizes the United Nations Convention on the Rights of the Child (UNCRC), which has been ratified by 194 countries.** The UNCRC is the main international human rights convention for children. A majority of the 52 articles within the UNCRC are concerned with children's rights to protection from all forms of abuse, neglect and exploitation. Two foundation principles of the UNCRC are the best interests of the child and participation. This means that any decision or action taken will always be done in the best interests of the child, and that children will be consulted and their views taken into account on all matters involving them.

**This policy applies to all ACT Alliance members. The Principles cover the minimum standards the ACT Alliance expects all members to comply with when developing a policy.** This Policy is complemented by a separate ACT Alliance Child Safeguarding Guidance Document, providing detailed information for ACT members on the development and implementation of a Child Safeguarding Policy.

## II. Key Definitions<sup>4</sup>

**Child protection:** In its widest sense, child protection is a term used to describe the actions that individuals, organisations, countries and communities take to protect children from acts of "harm" maltreatment (abuse) and exploitation e.g., domestic violence, exploitative child labour, commercial and sexual exploitation and abuse, deliberate exposure to HIV infection, physical violence to name but a few. It can also be used as a broad term to describe the work that organisations undertake in particular communities, environments or programmes that protect children from the risk of harm due to the situation in which they are living.

**Child safeguarding:** Child safeguarding is the set of internal facing, business critical policies, procedures and practice that we employ to ensure that our organisation itself is a child safe organisation. This means we ensure that:

1. Anyone who represents our organisation behaves appropriately towards children and never abuses the position of trust that comes with being a member of our organisation family.
2. Everyone associated with the organisation is aware of and responds appropriately to issues of child abuse and the sexual exploitation of children
3. We create a child-safe environment in all of our activities by always assessing and reducing potential risks to children

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<sup>4</sup> A more detailed list of Child Safeguarding Definitions and Terms are included in the ACT Alliance Child Safeguarding Guidance Document

4. We are driven by the duty of care that we have to children.

**Staff:** Staff refers to full time, part time, or casual persons working in ACT Secretariat or for ACT members, and those engaged on short term contracts such as but not limited to: consultants, researchers, photographers etc. working in any project location.

### III. Child Safeguarding Policy Principles

#### ACT members will:

- A. Take a zero tolerance approach to child abuse, respect children’s right to participate, and ensure priority is always given to the best interests of the child**

The ACT Alliance holds a zero tolerance approach to all forms of abuse, neglect, and exploitation of all people it works with, including children. ACT members are expected to take the same approach when developing their Child Safeguarding policy and procedures. The ACT Alliance also respects children’s right to participate in any decision affecting them, and to have their views heard and acted upon. Whenever there are conflicting interests, ACT Alliance members will ensure that the rights, needs and welfare of the child will always come first – this is the principle of the ‘best interests of the child’.

- B. Adhere to all child protection laws**

ACT Alliance staff and others associated with ACT Alliance members will adhere to local and international child protection legislation in countries where they travel and work, as well as international laws and conventions in relation to all forms of child abuse and child exploitation, including but not limited to: child sex tourism, child sex trafficking, child labour and child pornography.<sup>5</sup>

- C. Adopt a board-approved Child Safeguarding Policy**

To strengthen accountability and commitment across the Alliance, each ACT member should have a Board-approved Child Safeguarding Policy that meets or exceeds the provisions set-out in the outline of a Child Safeguarding Policy (see Template in Guidance Document) within 2 years of the adoption of this ACT Alliance Child Safeguarding Policy.

- D. Ensure Child Safe Program Design**

Even in programs which are not child-focused, there can be inherent risks to children. This includes physical harm from inadequate consideration of the particular needs and vulnerabilities of children. ACT members generally consider risks to affected populations when designing new program and interventions; this should include consideration of the potential risks to children. The ACT Alliance expects each member to commit to undertaking a review of their current programs to assess any risks to children and develop mitigation strategies. The ACT Alliance also expects each member to commit to mainstreaming child protection in existing programs, and conducting periodic reviews of their programs for any new or emerging child protection risks.

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<sup>5</sup> Noting that ACT members and staff are already bound by many of these laws

### **E. Ensure Child-Safe Recruitment of Staff**

Strong child-safe recruitment practices are a critical component of a Child Safeguarding policy. ACT Alliance members will take all steps necessary to ensure that staff who are employed and volunteers who are engaged are appropriately screened for any potential risks they may pose to children. At a minimum, this should include conducting two verbal reference checks, one from the current or most recent employer, behavioural-based questions for staff who will be working with children, and a signed disclosure that a staff member has not been charged with child abuse or exploitation offenses. Ideally it will also include a criminal background check. If a criminal background check is not possible, alternative measures can be taken. Further advice and a checklist for child safe recruitment can be found in the Guidance document.

### **F. Ensure development of a Child Safeguarding Code of Conduct**

**It is important when developing their own Child Safeguarding Policies that ACT Alliance members ensure the policy applies to their entire organisation's staff, volunteers and all those who are given access to projects and communities.**

At a minimum, all ACT Alliance members are expected to develop a Child Safeguarding Code of Conduct, which is one part of their overall Child Safeguarding Policy. A Child Safeguarding Code of Conduct explains what staff and others should and should not do when working with or in the proximity of children, including activities which are not child-centred. This Code of Conduct should guide staff in knowing what to expect of their colleagues and to understand what kind of behaviour should be reported. If it is logistically difficult for an ACT member to adopt a new Child Safeguarding Code of Conduct, members may include Child Safeguarding-related language in existing Codes of Conduct. However, globally-accepted minimum standards need to be followed. Please refer to the Guidance Document for suggestions on who to consult in developing a Code of Conduct, as well as a template on what should be included as standard language in a Child Safeguarding Code of Conduct.

### **G. Ensure Procedures exist for Reporting and Investigating Child Protection Concerns**

Procedures for reporting concerns about the safety of children or the behaviour of staff (breaches of the Code of Conduct) will necessarily differ from ACT member to ACT member. Members will take as their point of reference the Complaints Handling Mechanisms developed by their organisation. **ACT Alliance expects all members to develop Child Safeguarding reporting procedures which include the following minimum standards:**

- Appoint one person as a Child Safeguarding focal point (this could be the member's current Complaints focal person).
- Have clear procedures/guidelines for how staff and others should report a breach of the Code of Conduct by a staff member or other person associated with the ACT member.
- Ensure that during any investigation, the safety of the child remains paramount, keeping in mind the best interests of the child at all times.
- Have clear procedures/guidelines, which are accessible and appropriate to the local context, for how community members and children themselves can report a breach of the Code of Conduct by a staff member or other person associated with the ACT member.
- Report any allegations or complaints to management/donors/authorities as appropriate, depending on the nature and severity of the case and requirements of donors.

- Review all reported cases, and determine whether a full investigation is necessary, ensuring that the safety of the child is the primary concern.
- If a staff member or other person associated with the ACT member is found to have abused or exploited a child, they will be dismissed from their post.
- Take any disciplinary measures necessary against staff or others if they are found to have breached the Code of Conduct.
- Depending on the nature of the breach, provide support such as training and counselling, increased supervision or transfer to other duties, for staff whose behaviour is in breach of the Code of Conduct but does not pose a significant risk to the safety of children, for example shouting at a child.
- All information about child protection concerns and reports is to be kept confidential, discussed only with the Child Safeguarding Focal Point, and any other parties designated by them according to reporting requirements.

**Delegation schedule:** In the event that an ACT member's Child Safeguarding Focal Point is on leave or otherwise un-contactable, another staff member should act as the focal point.

**ACT members are expected to develop their own reporting procedures, to be included as part of their Child Safeguarding policy. Members will take as their point of reference the Complaints Handling Mechanisms developed by their organisation.** Sample frameworks and incident reporting forms and templates can be found in the Guidance Document.

**All staff and others associated with ACT Alliance programs are obligated to report any concerns they may have about the behaviour of a staff member or the safety of a child.**

The Guidance document contains detailed information on how to develop reporting procedures which are in line with global best practice yet can be adapted to suit a member's particular situation and needs.

#### **H. Ensure training is provided for all staff**

The ACT Alliance is committed to supporting its members in developing their Child Safeguarding policies, through the provision of the accompanying ACT Alliance Child Safeguarding Guidance Document which includes a list of external resource agencies. ACT Alliance members are expected to provide training to their staff and others in their newly-developed policies. This includes induction of new staff and periodic refresher training for existing staff.

The ACT Alliance expects each ACT Alliance member to develop plans for training and awareness-raising on the policy and Code of Conduct in communities where they or their partners work. See Guidance Document for further support on how this may be done.

#### **I. Ensure that children, communities, partners, and others are informed of the policy and reporting procedures**

ACT Alliance believes that accountability to the communities we work with, and transparency in all we do, is paramount. Building the capacity of communities and partners is a significant component of good practice in child safeguarding. The ACT Alliance also takes children's right to participate and have their views heard seriously, and is committed to ensuring children understand their rights to protection and how to report any case of abuse.

ACT Alliance members are expected to provide clear guidelines and complaints mechanisms for communities to report any incidence of abuse by an ACT Alliance staff or other person associated with the ACT Alliance. These complaints mechanisms should be translated into relevant local languages and in a format which is readily-accessible to communities. This may include developing child-friendly reporting mechanisms. Communities should be made aware of how, where and to whom to report any incidence of abuse by an ACT Alliance staff member or other person associated with the ACT Alliance. Children should be made aware, in terminology which is age-appropriate, the kind of behaviour they should expect from staff, and how to report any breach of the Code of Conduct by a staff member or any other person associated with an ACT Alliance member. ACT Alliance members should also work with local partners to develop their understanding of the policy, the Code of Conduct, and work with them to mainstream Child Safeguarding in their own programs.

#### **IV. Plan for developing and rolling out the policy**

The ACT Alliance expects that within one year of the adoption of this policy by the ACT Alliance, all ACT members will begin taking on Child Safeguarding responsibilities within their own organisations. At a minimum, ACT members are expected to develop a Child Safeguarding Code of Conduct, using the template in the Guidance document as a reference. Within two years of the adoption of this policy, all ACT Alliance members are expected to have developed minimum-standard Child Safeguarding policies and procedures.

The ACT Alliance recognizes that the development of child safeguarding policies and procedures represents a significant policy shift within the Alliance, and is therefore committed to supporting members in this regard. In order to support members in developing and adopting their child safeguarding policies and procedures, an ACT Child Safeguarding Community of Practice is being considered which would support Alliance-wide training and accompaniment during 2016 and 2017. In the meantime, the ACT Alliance will upload toolkits, reference documents, and lists of supporting service agencies on its website.

#### **V. Policy Review**

This policy will be reviewed every 3 years. If there is any significant program or contextual changes, the policy may need to be reviewed more frequently. The ACT Alliance expects each ACT member to also review their policy at a minimum every 3 years and more frequently if there are significant programme or contextual changes.

ACT Secretariat