



# **CHILD PROTECTION POLICY**

**APRIL 2017**

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## 1. Introduction

Children of Uganda (COU) is committed to the well-being of the children it serves. One of the core values of the organization embraces the “intrinsic worth of each child.” COU’s mission is to: Provide equitable opportunity to orphans and vulnerable children to access quality education, life skills training, basic healthcare and livelihood support.

COU strives to create positive environments in which children grow up amidst respect for their rights, hope and social justice. Recognizing the inherent worth of each child, COU accepts its responsibilities to protect children from harm, to promote their rights and to ensure children’s healthy development.

COU continually examines, develops and implements standards and programs designed to protect children from abuse, neglect, harassment and exploitation by their guardians, staff, partners, sponsors and others with whom they have contact.

### **The purpose of this policy is:**

- To provide staff, volunteers and interns with the overarching principles that guide our approach to child protection, which will then afford all children and young people served by Children of Uganda. This includes children or adults who use or benefit from COU services.

*COU believes that a child or young person should never experience abuse of any kind. We have a responsibility to promote the welfare of all children and to keep them safe. We are committed to practice in a way that protects them. COU will also empower children to be knowledgeable of their rights, to know what is acceptable and unacceptable, and to know what to do when problems arise.*

This Child Protection Policy document is composed of two parts. The first part is the Organization Policy. The second part is the Standards section, which has six sub-sections:

- Organization Awareness & Advocacy
- Recruiting and Screening of Personnel
- Program Planning
- Sponsorship
- Regional Training and Support
- Allegation and Incident Management

At the center of a child safe organization is commitment that it will work aggressively so that its Code of Conduct becomes a way of life for all the children, families, communities and staff.

Child Protection – our culture – our responsibility.

## **1.0. Child Protection Policy for COU Programs**

Framed by the UN Convention on the Rights of the Child, COU's work is to promote children's holistic development aims to strengthen family and community systems that support child protection and well-being. Consistent with its mission, COU strives to promote children's best interests and create positive environments in which children grow up amidst respect, hope, and social justice. Recognizing the inherent worth of each child, COU accepts its responsibilities to protect children from harm, to promote children's rights, and to ensure children's healthy development. Since COU works in situations that present serious physical, emotional, and social risks to children's well-being and that involve unequal power relations, it is vital to clearly define COU's commitments to child protection. Through this policy, COU defines its Code of Conduct which all COU staff, board members, volunteers, interns, contractors, partners/affiliated entities must obey.

COU recognizes that each country has its own legal systems. The policy and standards must be interpreted and enforced in accordance with local law. There may be instances where the policy and standards are more stringent than the local law, the local law overrules in such cases. This policy will therefore be implemented in accordance to the laws of Uganda.

### **1.1. Discrimination**

*Definition:* Discrimination is unequal treatment of individuals or groups on the basis of personal characteristics such as disability or appearance or group characteristics such as ethnicity or religious orientation.

**Examples of discrimination include, but are not limited to:**

- Program services that favor a particular gender;
- Use of demeaning labels or images in regard to particular ethnic groups;
- Passive acceptance of a situation in which disabled children are socially isolated and kept out of school;
- Stigmatization of or services denial to people on the basis of their HIV/AIDS status;
- Service delivery only to particular ethnic, religious, or political groups.

**COU Policy:**

- COU will not discriminate against children irrespective of their religion, gender, race, ethnicity, national origin, language, sexual orientation, disability, age, or political conviction.
- COU will not discriminate against or show favoritism towards particular children.
- COU will respect the cultures, practices, and traditions of all children and display cultural sensitivity to host communities and countries where it works.
- COU will promote gender equity in all its programs by assisting girls to receive an education.

### **1.2. Harassment**

*Definition:* Harassment consists of unwelcome comments or behavior that is offensive, demeaning, intimidating, or physically harmful.

**Examples of harassment include, but are not limited to:**

- Actual or threatened fighting;
- Name calling or use of threats, slurs, or degrading jokes;
- Use of visual means such as leering, gesturing, or displaying intimidating or demeaning pictures, cartoons, or posters;
- Writing of offensive or threatening letters, memos, or emails.

**COU Policy:**

- COU prohibits harassment of all its children.
- COU employees and those in collaborating institutions will treat each other and all the children on the program and in the community with respect and dignity.
- COU will hire staff of the highest integrity, who are accountable, responsible and able to create an environment of openness for all children involved in COU programming. To ensure this occurs COU will train all employees to comply with the child protection policy, as written.
- COU will maintain a safe environment where beneficiaries can freely participate in COU's activities.
- COU staff will not use their command of authority inappropriately.

**1.3. Sexual Harassment**

*Definition:* Sexual harassment consists of unwelcome sexual advances, comments, jokes, or conduct of a sexual nature.

**Examples of sexual harassment include, but are not limited to:**

- Unwelcome sexual commentaries about a person, their manner, or appearance;
- Sexually suggestive or obscene letters, posters, or emails;
- Actual or threatened physical contact such as patting, pinching, or other offensive touching;
- Degrading jokes based on sexual orientation.

**COU Policy:**

- COU prohibits sexual harassment of children, employees or program participants, regardless of their work relationship.

**1.4. Exploitation**

*Definition:* Exploitation is the abuse of power by coercing or leading people into activities that violate their individual rights.

**Examples of exploitation include, but are not limited to:**

- Children's involvement in heavy, dangerous, or forced labor;
- Selling or buying children for economic gain (child trafficking);
- Recruitment of children into armed groups;
- Sending children to work in dangerous situations;

**COU Policy:**

- COU prohibits exploitation of children and all individuals, whether staff, or participants in affiliated sponsorship program activities.
- COU staff will uphold the child labor laws of Uganda and ensure children are protected by these laws by reporting any witnessed or suspected exploitation.

**1.5. Sexual Exploitation**

*Definition:* Sexual exploitation consists of misusing a position of power to pressure or demand others to participate in sexual acts".

**COU Policy:**

In line with UN convention on the Rights of Children, the Children’s Act and other laws of Uganda, COU adheres to the provisions put in these instruments on the Prevention of Sexual Exploitation among Children:

- Sexual exploitation and abuse by staff and other partner members constitute acts of gross misconduct and are therefore grounds for termination of employment.
- Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of majority or age of consent locally. Mistaken belief in the age of a child is not a defense.
- Exchange of money, employment, goods, or services for sex, including sexual favors or other forms of humiliating, degrading or exploitative behavior is prohibited. This includes exchange of assistance that is due to beneficiaries.
- Where a staff or partner member develops concerns or suspicions regarding sexual abuse or exploitation by a fellow worker, whether in the same organization or not, s/he must report such concerns via established reporting mechanisms.
- Staff and partner members are obliged to create and maintain an environment, which prevents sexual exploitation and abuse of children and promotes the implementation of their code of conduct. Managers at all levels have particular responsibilities to support and develop systems that maintain this environment.

**1.6. Prostitution and Sex Trafficking**

*Definition:* Prostitution consists of providing sexual favors or activity in exchange for money or other economic gain. COU follows the definition of sex trafficking outlined in the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, which prohibits the recruitment, transportation, transfer, harboring, or receipt of persons, sale, or transfer of person for purposes of commercial exploitation, including sexual exploitation.

**COU Policy:**

- COU opposes prostitution, sex trafficking, and other forms of trafficking in persons.

### **1.7. Child Abuse, Neglect and Safety**

*Definition:* Child abuse consists of children's exposure to situations that cause children harm, usually as the result of the failure of the parent or caretaker to ensure a reasonable standard of care and protection. Abuse may be physical, sexual, or emotional harm resulting from the actions of the parent or caretaker. Abuse also includes neglect, the failure to meet a child's basic needs or to protect the child from hazards such as extreme weather or playing in dangerous places.

**Examples include, but are not limited to:**

- Sexual abuse of children through touching, fondling, rape, and vaginal, anal and oral intercourse
- Involvement of children in pornography or showing child pornography in any form;
- Harsh emotional treatment of children through isolation, rejection, or teasing; verbal abuse, extreme punishments.
- Severe physical punishment of children such as beating them.
- Allowing children to play in dangerous places such as building rooftops and minefields.
- Exposing children to adult sexuality

**COU Policy:**

- COU staff, volunteers and interns will not abuse children through either action or neglect.
- COU staff will work in a proactive manner to protect children's safety from preventable harm.
- COU staff will avoid being placed in compromising or vulnerable positions.
- COU staff will not condone or participate in any illegal, unsafe or abusive behavior of children.
- COU staff will not put themselves in positions where their actions (physical, verbal or otherwise) are offensive, inappropriate, abusive, neglectful or exploitative to children
- COU staff will ensure that all confidential information as it pertains to children is handled appropriately.
- A person who witnesses any kind of abuse against the rights of a child shall report the matter to the authority responsible for child welfare.

### **1.8. Reporting**

All employees have an obligation to report violations of these policies. COU will not tolerate any form of coercion, intimidation, reprisal, or retaliation against any employee who makes a report regarding a possible violation of this policy or who provides information or assistance in an investigation. (See Child Protection Standards in the following section for details on reporting and investigating concerns.)

**COU Policy:**

- Due to the sensitivity of reporting and known underreporting of child protection incidents throughout child-focused agencies, COU offices will democratically select two staff members (one man and one woman) that will act as Point Persons for receiving incident reports, suspicions of violations, child abuse or known breaches of the Code of Conduct. Staff will report alleged

violations to these staff “Point Persons” who, in turn, will report alleged violations simultaneously to the Program Director, the Executive Director and the Board. If the Program Director is under suspicion of violation the point persons will report directly to the Executive Director, who will take the necessary actions immediately. If a person knowingly chooses not to report an incident, then s/he will be removed from any association with COU. Anyone found in violation of the policy will be subject to appropriate disciplinary action up to and including dismissal from employment.

## **2.0. CHILD PROTECTION STANDARDS**

### **2.1. Organizational Awareness & Advocacy**

#### **Awareness:**

Management will ensure that each COU staff member shall sign a written statement indicating that s/he understands and will abide by the child Protection policy

All COU staff who have contact with children, or sensitive information about children, are to be informed of the organization’s Child Protection Policy and are to be made aware that they are expected to comply with such policies and standards. COU staff members are required to acknowledge receipt and understanding of the COU’s policies and standards.

Child protection awareness will be included in hiring, orientation and training at headquarters, field offices and affiliated entities. For those individuals having direct contact with children, additional training may be provided.

#### **Advocacy:**

COU endorses the United Nations Convention on the Rights of the Child (see chapter 2 – Advocacy for Children’s Rights). The organization encourages all its staff at international and Local level to collaborate with governmental department, child care organizations and other professional agencies to promote children’s rights, raise awareness of the plight of children and seek public policy changes where necessary. Increased awareness ensures staff and donors are sensitized on issues negatively affecting children. Increased awareness leads to actions that minimize or prevent risks for children.

COU believes that one of the greatest defenses against child abuse and neglect is a raised consciousness of children’s rights and unacceptable adult behaviors among children and families. COU’s promotion of community cohesion and child rights through parent bodies, youth groups, children’s councils, among others, creates an environment where strong community feedback and protection mechanisms are central.

### **2.2. Recruiting and Screening of Personnel**

A critical part of COU’s commitment to the protection of the children it serves requires that staff be aware of and meet basic requirements of employment, including those requirements related to child protection.



### **2.2.1. Prospective Staff of Children of Uganda**

Prospective employees, Board of Director candidates, advisory council candidates, volunteers, interns, and contracted consultants who will be visiting or working with COU affiliated entities and children, are informed of COU's Child Protection Policy during the recruiting and hiring processes.

### **2.2.2. Criminal Background Record Check**

COU reserves the right to perform a criminal background check on current or prospective employees and others seeking contract or affiliation. COU notifies current and prospective employees of this policy. In the best interests of children, COU will not knowingly employ anyone with a conviction for child abuse or a related offense. In the event that local law prohibits this hiring rule, no person with a conviction for child abuse, pedophilia or a related offense may be hired into any position that includes direct access to children or personal information about children. COU will make every reasonable effort to protect children in this regard by implementing effective procedures (including criminal background checks and/or reference checks for all new hires (staff, volunteers and interns) and or affiliated individuals).

### **2.3. Program Planning**

Children are considered active participants in their own protection. COU programs will give them a voice and provide them with skills for protecting themselves through periodic camps and training sessions specific to child protection. However, the primary responsibility for the protection of children lies with the parents/guardians and other adults within the community. COU program planning will include child protection as one of the primary concerns of the organization.

Another integral part of program planning includes ongoing assessments of children's circumstances and needs. Where relevant, plans will include educating students on what constitutes abuse as well as working with communities, local agencies, government, etc. to reduce the risks of and respond to child abuse, neglect and exploitation.

### **2.4. Sponsorship**

Sponsors and their sponsored children have wonderful opportunities to establish rewarding relationships among themselves. To ensure relationships and communications to that effect are appropriate, various safeguards and procedures will be established by the organization.

Communication with sponsored children via the organization and through proper channels, such as e-mail, letter writing or personal visits, is encouraged. It has the potential to significantly impact the development of the child/sponsor relationship and cultural education of the sponsor.

To protect both the sponsor and child/family, it is critical that policies and guidelines of child-sponsor communication be strictly followed. Inappropriate correspondence and/or contact will not be allowed. Failure to adhere to the guidelines may result in:

- Cancellation of the sponsorship
- Removal of the child/family from enrollment
- Termination of employment of COU staff
- Removal of affiliated staff from affiliated institution activities
- End of collaboration with the affiliated institution

#### **2.4.1. Correspondence**

Correspondence through letter writing and/or e-mail offers opportunities for the sponsors and children to develop close relationships. Sponsors can demonstrate their care and support to their children by asking questions about the children, reinforcing their accomplishments and sharing their own lives.

Children and sponsors being served through Children of Uganda have the right to be secure from accidental or intentional abuse or inappropriate contact by a sponsor, a child or any other person associated with the organization.

All correspondence is reviewed by COU staff before delivery to sponsors or children for appropriate content, cultural sensitivity and to ensure confidentiality of the children and sponsors information remains intact. In the event of inappropriate correspondence, COU may terminate the sponsorship relationship. Addresses and contact information should never be shared between sponsors and children and if it so happens that they are inevitably shared, correspondences should still follow the right and acceptable COU procedures. COU is committed to the protection of all its children and sponsors and their interests.

##### **2.4.1.1. *Communications between Children and Sponsors***

Sponsors and children may not communicate directly with each other via e-mail, telephone or letter. All e-mail, telephone and letter communication must be sent through COU and in the appropriate Web-enabled process. COU procedures provide certain processes to ensure that the protection of the child and sponsor is considered to the highest extent possible.

These processes may include, but not be limited to, validation of the sponsor/child link, and text scans for inappropriate words and/or phrases.

Acceptable letters and or e-mails from sponsors will be delivered to the intended child through a printed/hard copy. However, the sponsor's e-mail address will be rendered non-readable prior to delivery to the child. Acceptable letters/e-mails from children will be delivered to intended sponsors in standard letter/e-mail format. The actual sending letter/e-mail address will not be shown when the letter/e-mail is delivered.

##### **2.4.1.2. *Written Correspondence between Children and Sponsors***

Occasionally, sponsors may request that correspondence continues once the sponsorship relationship has ended. Children of Uganda will not facilitate or promote the continued correspondence.

In rare circumstances, when a long-term sponsor requests continuing correspondence with a child with whom s/he had a particularly close relationship and who is no longer enrolled on the COU program, the local Head Office may approve the request.

## **2.4.2. Visits**

### **2.4.2.1. Sponsor Visits to Children and COU Offices**

Sponsors are encouraged to develop a relationship with their sponsored children. Relationship building includes letters and e-mail correspondences as well as visits to the child's country. The sponsor is informed that if s/he wishes to visit the child, that s/he must inform the local Uganda Head Office through the International US Office at least two months prior to the actual planned visit. This can be through e-mail or telephone.

After receiving the communication, the Head office will review the "Plan to Visit a Sponsored Child" with the sponsor and obtain basic information about the trip. The sponsor will be advised that s/he must contact the local Head Office immediately to finalize plans for the visit. The sponsor will be provided with information regarding the visit.

The organization reserves the right to screen sponsors (including criminal background checks) prior to field visits. It shall therefore require to do a criminal background check prior to the visit for any sponsor intending to visit their sponsored child in Uganda. At the time of sponsorship, sponsors should be advised that the organization's policy prohibits unannounced visits. Prior to a visit, sponsors will be asked to acknowledge in writing or by phone that they have received and understood the visit policy.

When the sponsor first contacts the international office in the US for a visit to Uganda, the details will be sent to COU Kampala Office in the country. The COU management will review the information in the communication and ensure that the sponsor agrees to all terms in this policy. The International Head Office staff must ensure that translation (if necessary) is available. The visitor must also organize transport to and within Uganda, accommodation and meals. The sponsor will also meet all expenses related to travel, accommodation and meals for the sponsored child during the visit. Recommendations will be provided for lodging, transportation and meals in the locales being visited.

The child, the family and the school will be informed of the visit in advance to allow for planning in the student's schedule.

Actual or suspected cases of abuse or inappropriate behavior by a visiting sponsor are to be reported immediately to the international US Head Office for management. Appropriate action must be taken regarding the donor or sponsor, within the local context.

The Ugandan COU staff in-charge of the visit must provide the Program Director and Executive Director with a written report of every sponsor visit and copy of the sponsor visit report should also be kept in the child's file.

#### **2.4.2.2. Children Visits to the Sponsor's Residence**

Children visiting sponsors in the sponsor's country/residence or any location outside of the child's local residence is only allowed upon approval from the student's guardians, the Ugandan government, for passport approval, the tourist Visa from the foreign embassy (i.e. US, UK) and the local offices, US Head offices of COU and the COU Board. Upon request by the sponsor and approval, the sponsor will take full responsibility to meet all the expenses associated with the visit. COU will work with the sponsor to plan for the visit but also ensure that the child returns home immediately after the agreed dates for the visit.

The Child's guardian and the Program Director must sign a release form for the child to move out of the country, the E.D and sponsor on the other hand should also sign acknowledging receipt of the child. Communication during this international travel must be maintained on a daily basis between the Sponsor, the child and the COU Headquarters.

#### **2.4.3. Systems and Administration**

**Screening Sponsorships:** Whenever a prospective sponsor is found to have a correctional institution address or is found to have a past criminal record, the sponsorship will be denied. Additionally, the prospective sponsor's name will be marked in our database as undesirable to preclude him/her from sponsoring another child. Sponsorship is not an option and donations will not be accepted as well.

**Marketing and Printed Materials:** Paper and electronic information about enrolled children and families will be kept secured at all times. Information is limited to COU staff or affiliated persons who require access to the information as part of their responsibilities (administration, sponsorship, programs, etc.) in the organization.

Communications about children must use pictures and language that are decent and respectful. A child's personal and physical information that could be used to identify the specific location of a child within a country should not be used by the organization on web sites or other mass communications.

Sponsors are advised that child-specific information via the web is provided as a service and is not to be downloaded or redistributed to another site.

COU adheres to the "Code of Fund-Raising Ethics for Voluntary Agencies" that was adopted in 1976. In part, the Code promises that agencies maintain the confidentiality of donors, be truthful and accurate in all appeals, demonstrate respect for people assisted and always focus on the welfare of the children assisted.

## **2.5. Allegation and Incident Management**

Effective child protection policies have two parts. First, there must be an aggressive system of prevention through clear-cut expectations, effective hiring and training, top-level awareness, good programming and sponsorship. Second, there must be a supportive system for allegation and incident management.

Development of an effective allegation and incident management system is critical to COU's efforts to protect children from abuse and ensure due process for employees cited in an allegation. The management system provides for reporting, documenting, investigating and actions-taken as a result of an allegation and/or determination that child abuse has occurred.

Child abuse is "our worst fear realized". It is difficult to accept that child abuse may have occurred. There is denial. There is fear. All of these factors can lead to a potential of under-reporting which in turn leads to continued abuse. Therefore, the management system must encourage reporting by instilling trust in the involved parties.

### **2.5.1. Reporting**

All COU staff are required to report immediately to the designated Point Persons with any suspicions of violations of the Code of Conduct or child abuse. If a person knowingly chooses not to report an incident, then s/he will be removed from any association with COU.

It is imperative that children and parents understand their responsibilities to report any concerns they may have regarding the safety of children.

Regardless of who is reporting an allegation (staff member, child, parent, etc.), the allegation must be reported directly to a COU Point Person, who should then provide details about what happened, including the date, location, and the name of the witness and transmit a report to the Program Director within twenty-four hours. Procedures for reporting suspected cases of child abuse to external agencies are to follow local and national laws.

### **Confidentiality**

It is essential to maintain the trust of the person reporting possible abuse. COU staff must protect the gathered information with greatest care. It may be that the person reporting the possible abuse does not want the information shared with others. All information gathered and developed is held in the strictest confidence and will be disclosed only on a need-to-know and helpful basis in order to report, investigate and resolve the matter.

In some cases, COU may act against the wishes of the reporter in the best interests of the child and other children. This can be a very difficult situation and must be handled with utmost care by COU. It must be made clear to all concerned that information of this nature cannot be kept wholly confidential. Resolution requires sharing with the appropriate people in a confidential manner.

### ***2.5.2. Investigation and Disposition of an Incident***

The Program Director is to follow established local procedures once an allegation has been reported and to ensure that confidential, thorough, timely and impartial investigation and resolution are performed. Procedural actions by the Program Director include, but are not limited to: acting immediately if there is risk to the child, performing an internal investigation (which may include interviews of witnesses and others), collecting factual information, gathering documentation, informing the Executive Director and Board Members if applicable, and reporting the incident to external authorities as required by local laws.

A COU employee who has been brought under investigation by the organisation or by official law enforcement authorities for the abuse of a child will be temporarily suspended or have no access to children during the course of the investigation. The employee will be informed that allegations have been made against him/her and given an opportunity to respond.

The individual alleged to have violated this policy will have the opportunity to present his or her view of the events in question before any determination of guilt or innocence has been reached.

The investigation team will consider the incident top priority until the incident is closed. The team will develop a detailed written investigation plan based on established local procedures. Once the investigation is completed, a full written report (findings, recommended actions) will be shared with and approved by the Program Director for action. Following the completion of the investigation, both the person(s) bringing the allegation and the person(s) alleged of a violation will be informed of the results of the investigation and the way forward.

Children of Uganda reserves the right, in the event an employee is discharged for proven sexual abuse, to disclose such information if requested by a prospective employer. Disclosures shall be made in accordance with applicable local law and/or customs.

COU will not tolerate any form of coercion, intimidation, reprisal or retaliation against any employee who makes a report regarding possible violations of the Child Protection Policy or any person who provides information or assistance in an investigation. The Program Director is responsible for implementing all recommended/approved actions.

**CHILD PROTECTION POLICY STATEMENT**

It is the policy of Children of Uganda to conform not only to the minimum requirements of this policy and any laws behind them, but also to the spirit of the policy and laws on which they are based. We entrust each employee, volunteer, intern, independent contractor or any other person or group performing services for and on behalf of COU, or its partners with our support and commitment to these basic human rights concerns.

This statement will govern all Children of Uganda policies, practices and procedures. It is the responsibility of all management staff, persons in decision-making positions, employees, volunteers, interns in the organization and contractors performing services for and on behalf of COU, to ensure that these guidelines are adhered to. COU reserves the right to respond to specific situations related to this policy in such a manner as circumstances warrant as well as the right to terminate, amend, modify, or change provisions of this policy and practice.

**Acknowledgement:**

I/We have received, read and understood the Children of Uganda Child Protection Policy and acknowledge that I/We am/are subject to and will abide by this policy.

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Print Name.....

Signature: ..... Date: .....

Department/Office and or Position.....