



1. Introduction to the fws Child Protection Policy

foodwatershelter (fws) is a child and youth safe organisation committed to the protection of children and young people, the enhancement of their lives in partnership with parents, and the promotion of their rights. fws's *Child Protection Policy* (henceforth referred to as the Policy) provides the principles by which fws operates to maintain best practice in the area of child safety and wellbeing.¹

Purpose

The Policy provides best practice principles that will ensure a safe environment for children and young people in all programs and activities operated by and through fws. The Policy serves as a cross-cutting policy document that directs fws's operational procedures relating to children and young people. This policy has been developed in tangent with the Code of Conduct for staff and the Code of Conduct for volunteers as a means to set appropriate standards for maintaining the safety and wellbeing of children who access programs and reside at Kesho Leo.

It is expected that staff and volunteers will use this Policy as a reference point to initiate and develop operational procedures to ensure that all programs and activities meet their moral and legal duty of care requirements of a child and youth safe and child rights-based organisation.

The Policy applies to all paid and volunteer staff, students, contractors, residents, visitors at Kesho Leo and all fws functions, services, initiatives, or projects.

¹ fws would like to thank and acknowledge this document is largely based on the Brotherhood of St Lawrence's Child Protection Policy.

Policy Context

fws has a well-established policy context of values and principles that promote how the organisation aims to achieve positive outcomes for children within Kesho Leo. These are set out in the organisational values, which are listed below.

1. Every child has the right to have their basic physiological needs of food, water and shelter met.
 2. Every child has a right to have their psychological needs met. Then they are able to grow with self-esteem and a sense of belonging.
 3. Every child has the right to an education that allows for freedom of thought and expression of creativity. Children in developing communities need early and enhanced support to accelerate their learning and ensure the success of their education.
 4. fws works with care for the environment in all practice. fws practice in an eco-friendly manner from fundraising to expert eco-friendly design and building of a children's village. fws promotes the use of local material and the ongoing recycling and conversion of materials.
 5. It takes a village to raise a child. fws will employ local people to build, staff and manage each children's village. This model fosters sustainability by empowering local people to manage local programs and facilities. fws commit to training local staff so that they are able to move towards self management, with fws merely overseeing operations.
 6. Moving towards sustainability. It is the aim of fws that the longer each children's village operates, the more it will be able to support itself and the less sponsorship it will need.
 7. fws children's villages are part of their community and contribute to community development. The children's village regularly receives input from the village, and in turn, distributes knowledge and resources to the village.
 8. fws projects are developed with the expertise of volunteers. There will be a two-way exchange of knowledge between volunteers and recipients. Volunteers enable fws to keep expenditure low. A volunteer's contribution to beneficiaries and the recipient country is a primary concern for fws.
 9. fws gives people in developed societies the opportunity to give in a simple and tangible way. The act of giving is a positive experience and a celebration of the culture of our recipient countries.
 10. fws is transparent in all activities. By operating with transparency, fws ensures donors are able to see the difference that their contribution is making. fws keeps donors up to date with regular updates on the website and via its free monthly e-newsletter, Gimme Shelter. Donors have access to progress at all times.
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Policy Objectives

fws will use the Policy to take a proactive approach to the prevention of child abuse by minimising opportunities for harm within fws, and by responding to concerns regarding a child's or young person's safety and wellbeing.

Through the development of the Policy, fws aims to provide a safe environment for children and young people in all programs and activities, and whenever children and young people come into contact with fws services or fws staff, volunteers, guests and funding bodies. The best practice child safe principles provided in the policy should become part of everyday practice and the workplace culture of fws. In this way, every member and volunteer will be supported to contribute to the maintenance of a safe and aware environment. The policy supports all staff, volunteers and care providers to act with integrity and in a child's best interest in their interactions with children and young people, regardless of whether their work activities directly or indirectly involve contact with children.

The Policy also recognises the role that fws plays in advocating on behalf of children and young people, as well as guiding and empowering them to advocate on their own behalf on relevant social justice issues. In taking these steps, fws aims to ensure the rights of all children remain a priority in government and policy-making debates.

The Policy aims to embed all these principles into the organisational culture and practices of fws and ensure fws is meeting its moral and legal duty of care to protect children and young people from harm and abuse.

Child and Youth Safe Environment Principles

All staff and volunteers at fws will implement child safe principles to ensure that a safe and respectful environment for children and young people is maintained in all programs, activities and services. In addition, fws will bring its full commitment to creating and maintaining a Child Safe Organisation by requiring all paid staff at Kesho Leo to undergo and hold a current and valid Police checks, paid for by fws.

The following principles should also be referred to in the development of local operational procedures that reflect child safe principles:

- Act in the best interests of children and young people.
 - Create a welcoming, inclusive and respectful environment for children, young people and their families.
 - Promote cultural awareness.
 - Promote children's rights.
 - Promote organisational awareness and open discussion of the risks to the safety and welfare of children.
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- Work in partnership with parents/guardians to protect children and support their rights, and encourage conversations about raising children in supportive ways that respect culture but do not compromise a child's right to safety and respect.
- Create a safe environment for parents/guardians to seek advice and support on alternatives to harmful practices.
- Provide opportunities for children and young people to participate in fws' operations and express their opinions.
- Provide training on child empowerment strategies and encouraging children to speak up when they have any concerns about their safety or wellbeing.
- Listen to children and take their concerns seriously.
- Create child-friendly spaces.
- Maintain vigilant child-safe recruitment practices.
- Raise and respond to concerns for a child's safety or wellbeing in a timely manner.
- Support staff and volunteers in providing a child-safe environment.
- Provide ongoing information and training on child abuse, child protection and children's rights.

Child Protection Principles

fws will provide opportunities for children and young people to participate in creating a child and youth safe environment at Kesho Leo. Children and young people will be encouraged to participate by providing input into programs, activities and services and given opportunities to provide feedback.

Child and youth participation is an important child-safe principle at Kesho Leo. It is not only the right of children and young people to participate and ensure culturally appropriate interventions, but it also reduce their vulnerability by helping to 'enhance their self-esteem, confidence and overall capacities and to strengthen their independence, resilience and social competence'.² Children and young people who are encouraged to express their views are less vulnerable to abuse and better able to contribute towards their own protection.

Child participation principles include but are not limited to:

- Children must understand what they are being invited to participate in. Children have the right to say 'yes' or 'no'.
- Children should not be prevented from participating because of their sex, culture, religion, ethnicity, class, level of literacy or any other factor.
- Children must be protected and participation should do no harm to children.

².Lansdown, Gerison (2004) 'Participation and young children', *Early Childhood Matters*, 103, pp 4-14.

- Participation should have some direct benefit for individual children (not just the program)
- Participation should be enjoyable for children.
- Consideration should be given to the ways in which children can gain skills through participation.
- Children's views and experiences must be valued and given due consideration.
- Children should be given the opportunity to say what they liked about participating and what they did not like.
- Children's feedback on participation should be used to inform future participation.
- Children are provided with information on the outcomes and results of their participation.

A Code of Conduct has been developed for staff and volunteers at Kesho Leo to accompany the Policy.

Relevant Legislation

The Law of the Child Act 2009 (Tz) (henceforth referred to as the Legislation) is the governing legislation for child protection in Tanzania. This legislation outlines (among others):

- The Rights and Welfare of a Child
- Care and Protection of a Child
- Foster Care Placement
- Parentage, Custody, Access and Maintenance
- Employment of a Child
- Support Services for a Child by local Government Authorities and
- A Child in Conflict with the Law.

According to Section 94 of the Legislation, a local government authority shall have the responsibility to safeguard and promote the welfare of the child within its area of jurisdiction. The local government is responsible for:

- Providing counselling to guardians of children for the promotion of reconciliation.
 - Keeping a register of the most vulnerable children within the jurisdiction and give them assistance whenever possible to enable those children to grow up with dignity among other children and develop their potential and self-reliance.
 - Providing assistance and accommodation to any child who appears to require assistance as a result of being abandoned.
 - Tracing parents of abandoned children.
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- Investigating (with the local police) all cases of breach or violation of the rights of the child.

Reporting Breaches

Section 95 of the Law of the Child Act 2009 also provides that:

It is the duty of any member of the community who has evidence or information that a child's rights are infringed or that a parent, guardian or relative having custody of a child who is able to but refuses or neglects to provide the child with food, shelter, right to play or leisure, clothing, medical care and education, to report the matter to the local government authority of the area.

Under the Policy, the Social Welfare Officer is responsible for determining whether to summon the person against whom the complaint has been made to discuss the matter, and to make a decision that is in the best interests of the child. Should the person against whom the complaint was made refuses to comply with the decision, the matter can be referred to the courts.

2. Procedures for Reporting of Child Protection concerns

fws requires all staff, volunteers, residents, guests and contractors to raise concerns they have regarding a child's safety or wellbeing, regardless of whether they work directly or indirectly with children and young people. Everyone at Kesho Leo must always act in the best interests of children and young people.

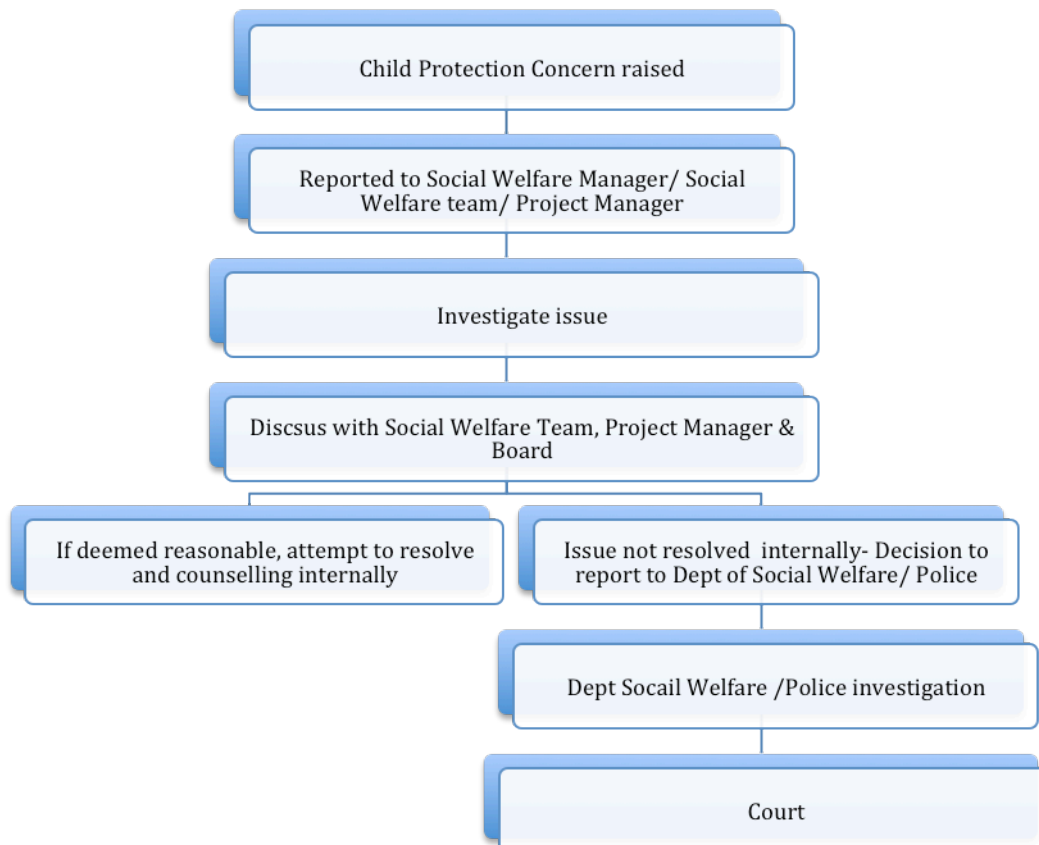
All staff members and volunteers must immediately raise any concerns they have for the safety or wellbeing of a child or young person in accordance with the procedures below, regardless of their role.

1. Report any concerns or doubts immediately to the Social Welfare Manager or, where this is not possible, to the Kesho Leo Manager within 24 hours of the concern being first identified or raised.
 2. The Social Welfare Manager/Kesho Leo Manager will immediately investigate the concern.
 - If the concern is related to a child who resides at Kesho Leo, commencement of investigation will be within 24 hours.
 - If the child does not reside at Kesho Leo, the Social Welfare Manager will take steps to investigate or, if appropriate, alert the appropriate authority to investigate within 72 hours.
 3. The Social Welfare Manager/Kesho Leo Manager will determine whether to seek advice from the Australian Social Welfare Manager or, where time is of
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the essence, to report back to the Australian Social Welfare Manager/ Australian fws Board after the matter has been responded to.

4. The Social Welfare Manager /Kesho Leo Manager will determine which external authority is most appropriate to contact, be it the Tanzanian police/ Social Welfare Department in Arusha or the community elders.

Table 1: Process for responding to a child protection concern raised:



The Department of Social Welfare in Arusha is the local reporting authority responsible for addressing child protection issues. It is acknowledged that this child safety procedure does not override or replace any additional reporting procedures required in Tanzania. This policy should be used to enhance an existing procedure or implement one where none exists.

Where a child makes a complaint (including any allegations of abuse), the organisation will take the following steps to ensure the child is protected and adequately supported throughout the complaint investigation process.

1. Assure the child that you will do as much as you can to keep them safe and, where possible, encourage them to share the complaint with you and the Social Welfare Manager. Should they not feel comfortable, try to get as many details from the child as possible, including, if the complaint is in relation to any physical or emotional harm, any person's responsible for the harm,

- timeframes for when the incident(s) occurred and any details regarding factors that help the child feel safer.
2. Report these concerns immediately to the Social Welfare Manager or, where this is not possible, to the Kesho Leo Manager within 24 hours of the concern being first identified or raised by the child. Be sure to respect the child's privacy and not share this information with anyone else unless agreed to in consultation with the Social Welfare Manager and/ or the Kesho Leo Manager.
 3. The Social Welfare Manager/Kesho Leo Manager will immediately investigate the concern.
 - If the concern is related to a child who resides at Kesho Leo, commencement of investigation will be within 24 hours.
 - If the child does not reside at Kesho Leo, the Social Welfare Manager will take steps to investigate or, if appropriate, alert the appropriate authority to investigate within 72 hours.
 4. The Social Welfare Manager/Kesho Leo Manager will determine whether to seek advice from the Australian Social Welfare Manager or, where time is of the essence, to report back to the Australian Social Welfare Manager/ Australian fws Board after the matter has been responded to. Where these avenues are not available, the Arusha Mental Health Trust should be consulted immediately.
 5. The Social Welfare Manager /Kesho Leo Manager will determine which external authority is most appropriate to contact, be it the Tanzanian police/ Social Welfare Department in Arusha or the community elders.

3. fws Social Welfare Support Team

fws will provide support and guidance to any staff member or volunteer to address any concern related to a child's wellbeing and safety.

fws has a Social Welfare Manager in Tanzania who is qualified and experienced in social welfare issues. The Tanzanian Social Welfare Manager should be the first point of contact for any issues relating to child safety. The Tanzania Social Welfare Manager will:

- Answer questions in regards to the Child Protection Policy.
 - Participate in the implementation and review of the Policy to ensure best practice.
 - Receive feedback on the Policy and conduct ongoing monitoring.
 - Assist in the development and implement training on the Policy.
 - Be a focal and reference point for the principles articulated in the Policy.
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- Work with Program Managers to support the implementation of local operational child safe policies and procedures or integration into existing policies or procedures.
- Provide guidance on how a concern, suspicion or allegation of child abuse will be handled.
- Provide advice on working effectively with children and young people.
- Provide support and information to an employee having to deal with a difficult, upsetting or challenging situation involving a child or young person.
- Provide advice on the Police Check.
- Offer Advice, respond to questions and queries and liaise as required.

fws has an Australian Social Welfare Advisor who is qualified and experienced in social welfare issues. The Australian Social Welfare Advisor can provide advice to fws project staff in Tanzania where required and/or when the Tanzanian Social Welfare Manager is unavailable. Where there are unresolved issues or further clarity is required, the Australian Social Welfare advisor must be contacted to provide advice.

4. Recruitment, Selection and Screening

fws will remain vigilant in its recruitment and selection of staff and volunteers, including those working directly and indirectly with children and young people. The following procedures are to be used in conjunction with the recruitment and selection procedures of the Human Resource Team.

Child sex offenders will target organisations that are unaware of the risks and dangers of child abuse. They will also be attracted to organisations that conduct little or no screening. As a child safe organisation, fws will maintain best practice in the recruitment, selection and screening of staff, volunteers and care providers who work directly with children and young people.

Volunteers will be checked to make sure they do not have any relevant criminal offences or findings from professional disciplinary bodies that may mean they are not suitable to work with children. The Police Check includes the ongoing checking of a person's criminal record while the relevant Check is valid.

Broadly, relevant criminal offences include:

- Serious sexual offences,
 - Serious violent offences, and
 - Serious drug-related offences.
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Child Safe Recruitment Procedures for Volunteers

The following procedures must be adhered to when recruiting new volunteers.

- When advertising for voluntary positions, fws will include a child safe message in the advertisement.
- Send information packages upon expressions of interest that include fws' *Code of Conduct* and the ACFID Code of Conduct to all applicants for voluntary positions in Tanzania.
- When interviewing applicants, use open questions that provide insight into a person's motivations for seeking work with children or young people, their values, attitudes and understanding of professional boundaries, and an understanding of their accountability to the organisation and the organisation's Child Protection Policy.
- Conduct professional and personal reference checks on all paid and voluntary applicants. Establish the nature of the relationship between the referee and the applicant. Ask the referee questions that are relevant to working with children or young people. For instance, how does the applicant respond to supervision, would they employ him/her again, did they have any reason to be concerned about the applicant's behaviour with children. A check of the applicant's dates of employment is also important.
- If the applicant is to be involved in the Kesho Leo village, they will have direct, regular contact with children. As a result, they must obtain a valid Police Check prior to departing Australia. fws will check with the relevant state authority to ensure that each volunteer's Police Check is valid. A copy of the Police Check will need to be provided to the organisation to complete this task.
- Any fws volunteer working with children and young people in their program role or having the potential to work with children and young people must hold a current and valid Police Check.

Child Safety Practices in Recruitment Procedures for Paid Staff in Tanzania

Where staff members are to be involved in the Kesho Leo village and will have direct, regular contact with children, the recruitment process will include a reference check with the community elders. There is currently no formal criminal record check available in Tanzania.

4. Professional Development and Ongoing Training

Induction:

fws has an induction package available for new staff and volunteers. This induction package includes the child safe principles and practices for fws volunteers outlined in the Policy and the ACFID Code of Conduct training. Volunteers will be expected also

to undertake the ACFID Code of Conduct training and sign fws' Code of Conduct that outlines the standards and expectation of behaviour at Kesho Leo prior to commencing their role.

Ongoing Training

fws is committed to providing ongoing training to staff and volunteers in the areas of child abuse, child protection, working effectively with children and young people, and maintaining appropriate boundaries in this work. Training includes skills development regarding the delivery of services in a culturally competent manner.

fws will be responsive to any suggestions by staff, volunteers, guests and Tanzanian partners on the type of training or professional development necessary to fulfil their roles in maintaining a child-safe environment.

Supervision of Students and Volunteers

At Kesho Leo, all students, guests and unregistered volunteers working directly with children and young people must be fully supervised by a staff member at all times. Staff must also provide students and volunteers with guidance and advice on working effectively with children and young people and support them in maintaining a child safe environment at Kesho Leo.

5. Research and Data Collection

Research

Child- and youth-focused research at fws will be encouraged and supported with the objectives to hear the voice of children and young people and to enhance outcomes and opportunities for children and young people. As an advocate with credibility and integrity speaking for children experiencing poverty, fws will, wherever possible, include the opinions and views of children and young people in its research.

The principles of child participation, included in the Policy, should be utilised as a guide for fws' projects briefs and research which involved children and young people.

Data Collection

All information and data collected in regards to children and young people must respect the child or young person's right to privacy and only be shared with other relevant people if sharing that information is acting in the best interests of the child or young person. All data collection will be on a voluntary basis and de-identified at the time of collection in order to protect the identity and safety of children.

6. Images and Photos of Children and Young People

The organisation will at all times portray children in a respectful, appropriate and consensual way. Our guidelines on the use of images children's images, in line with the ACFID Code of Conduct Clause 4.2, are:

- A child should always be portrayed in a dignified and respectful manner and not in a vulnerable or submissive manner.
- Children should be adequately clothed and not in poses that could be seen as sexually suggestive.
- A child and its family must always be asked for consent when using their images. When asking for consent to use the image, details should be given as to how and where this image will be used.
- Children should be portrayed as part of their community.
- Local cultural traditions should be assessed regarding restrictions for reproducing personal images.
- Images should be an honest representation of the context and the facts.
- When sending images electronically, file labels should not reveal identifying information.
- All photographers will be screened for their suitability, including police checks where appropriate.
- Any images of children and young people may only be used for official fws publications or promotional purposes, or for student observations (subject to approval from the Kesho Leo Manager)
- A child or young person's personal information that could be used to identify the location of a child or young person (i.e. home, school) must not be used in connection with the image or photo.

7. Internet Safety

fws staff and volunteers will ensure that when children or young people access the Internet, send emails or SMS whilst involved in fws programs and activities their safety and wellbeing will be of paramount consideration. Where relevant, children and young people will be educated on safe internet, mobile phone, and chat room use and understand their responsibilities when using fws' computer network.

fws requires everyone to immediately make a report to the Kesho Leo Manager or the IT manager if they become aware of any images, SPAM, pop ups or emails received on a fws computer which are pornographic, suspicious, inappropriate or concerning to the safety or welfare of children and young people.

Staff and volunteers must not use the Internet, emails or mobile phone services to send inappropriate, pornographic or abusive messages to anyone involved with fws. A report should be made immediately to the Social Welfare Manager or Kesho Leo Manager if this occurs.

8. Child and Youth Safety Impact Assessment

When developing new programs, activities, designs, marketing and images, staff should always assess the impact it will have on the safety of children and young people, their rights and their wellbeing. This will include the identification of potential risks and the devising of strategies to address these identified risks for each new activity. Attention will also be given to enabling the children and young people utilising the service, to have mechanisms to influence the design and give feedback on its operation.

9. Partner Organisations

Potential and existing partners/agencies should be made aware of the Policy. Where fws enters into a partnership agreement with an organisation where services will be provided to children and young people, fws will require the partner organisation to demonstrate the existence of an acceptable child safe policy and child safe environment principles. Where one does not exist, the partner organisation must agree to adhere to the requirements of the Policy.

10. Policy Review and Monitoring

The Reporting Procedure Template, when completed, will be collected centrally to enable analysis of the number and type of incidents and their outcome to feed into the review process. The Social Welfare team will be responsible for maintaining and reviewing this information.

This Policy will be reviewed every 2 years.

Appendix A: Reporting Procedure Template

Where a child protection concern is identified, it is the responsibility of the Social Welfare Manager or the Kesho Leo Manager to complete a report which details the following requirements.

What to raise:

- Disclosure, suspicion, concern or allegation of child abuse (see Appendix B: Definitions).
- Concerns for a child or young person's wellbeing.
- Disclosure of suicidal thoughts by a child or young person.
- Any concerns regarding a staff member, volunteers or a contractor's inappropriate or unsafe behaviour.

Who concerns should be raised with:

Initial concerns should be raised with the Social Welfare Manager, or the Kesho Leo Manager, who will then advise the fws President and the Social Welfare Advisor as necessary.

If concerns continue, the Tanzanian Social Welfare Manager or the Kesho Leo manager will, where appropriate, brief other volunteers and staff members at Kesho Leo.

What happens next?

In consultation with the person raising the concern, a decision is made as to how the concern will be handled. This could involve any of the following:

- Talk to parents/guardians/mamas.
- A report is made to community chiefs.
- A report is made to Social Welfare Department in Arusha.
- A report is made to the local police.
- The concern will be handled internally.

If the concern is to be handled internally, this may involve:

- Discussion between the Managers and the person involved.
 - Education on the appropriate boundaries and expected behaviours with children and young people.
 - Disciplinary measures.
 - Performance review.
 - Conflict resolution measures.
 - Support of the child and referral to appropriate mental health services in the case of a child or young person disclosing suicidal thoughts.
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Confidentiality

All reports, the names of people involved and the details will remain confidential. Only the Social Welfare Manager (Tanzania), the Social Welfare Advisor (Australia), the Kesho Leo Manager, the fws President (Australia), the child or young person and others involved will be informed of the report. Details will be released on a 'need to know' basis or when required by law or a notification to police or child protection authorities is made.

Outcome decided

This may include:

- Case handled by local police or the Social Welfare Department.
 - Ongoing monitoring of the child or young person.
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Appendix B: Definitions³

Child or young person: a child or young person is defined as being any person under the age of 18 years.

Forms of abuse: these may include physical abuse, emotional abuse, neglect, sexual abuse, bullying, exposure to domestic violence, or cultural abuse.

Physical abuse: occurs when a person purposefully injures or threatens to injure a child or young person. This may take the form of slapping, punching, shaking, kicking, burning, shoving or grabbing. The injury may take the form of bruises, cuts, burns or fractures. The inappropriate administering of medication or other drugs to children or young people can also be considered abuse.

Emotional abuse: occurs when a child is repeatedly rejected or frightened by threats. This may involve name-calling, being put down or continual coldness from parent or caregiver to the extent that it affects the child's physical and emotional growth.

Neglect: the failure to provide the child with the basic necessities of life such as food, clothing, shelter, supervision or care to the extent that the child's health and development are placed at risk.

Sexual abuse: occurs when a child or young person is used by an older or bigger child, adolescent or adult for his or her own sexual stimulation or gratification. These can be contact or non-contact acts, including threats and exposure to pornography.

Bullying: the inappropriate use of power by an individual or group, with intent to injure either physically or emotionally. It is usually deliberate and repetitive. The bullying may be physical or psychological (verbal and non-verbal).

Physical bullying includes pushing, hitting punching, kicking or any other action causing hurt or injury. *Verbal bullying* includes insults, taunts, threats and ridicules. *Psychological bullying* includes physical intimidation and ostracism.

Exposure to domestic violence: occurs when children and young people witness or experience the chronic domination, coercion, intimidation and victimisation of one person by another by physical, sexual or emotional means within intimate relationships.⁴ Witnessing domestic violence against a child's primary attachment figure is as harmful to the child as it would be if the violence was directed at the child.

³ Unless otherwise stated, all definitions are from Child Wise, Choose with Care (2006).

⁴ Adapted from the Australian Medical Association definition.⁵ Children's Protection Society, 2003.

Cultural abuse: the negative effects of assimilating (through the ‘helping/ working relationship’) different cultural groups, children and their families, into “Western mainstream society” through a denial of language, kinship systems and other key cultural considerations.

Young people who engage in sexually abusive behaviours

It is important to be aware that about one third of all child sexual offences are committed by another child or young person. Factors that may place adolescent boys at risk of sexually aggressive behaviours, whether or not they had been victims of sexual abuse, include witnessing physical violence; experiencing physical violence or abuse; discontinuity of care; or rejection by their family⁵. Intervention in childhood and adolescence is more successful than for adults.

fws will develop specific treatment intervention plans for any young people residing at Kesho Leo who have displayed signs of sexual abuse, as well as for the resident against whom has been sexually offended. A minimum requirement will include counselling for both parties, an assessment for safety of all residents at Kesho Leo and formal action provided through the relevant authorities.

⁵ Children’s Protection Society, 2003.
