

# International Child Resource Institute Nepal (ICRI Nepal)



## CHILD SAFEGUARD POLICY

<b>Policy Owner</b>	International Child Resource Institute Nepal (ICRI Nepal)
<b>Approved By</b>	Executive Board of ICRI Nepal
<b>Endorsed Date</b>	
<b>Review Date</b>	

## **Introduction**

International Child Resource Institute (ICRI) Nepal is a non-profit and non-governmental organization registered as per NGO Registration Act of Nepal (2038 BS). It has its own innovative educational program named National Centre for Learning Resources (NCLR) and has been working in the field of overall wellbeing of children and their rights (survival, protection, participation and development). It has subsequently initiated school based educational activities including ECD program in government schools. The main aim of the activities has been to transform the dull, un-stimulating, teacher-centric and monotonous conventional teaching-learning environment of government schools into creative, stimulating, child-centric, meaningful and joyful learning environment.

ICRI-Nepal has regularly been working with Network for Children, Prisoners and Dependants (NCPD) and is currently housing NCPD's secretariat and providing financial and technical assistance to NCPD members for strengthening their programs to serve the children of incarcerated parents. Besides, it has also formed an Alliance for Corporate Social Responsibility (A-CSR) to engage the corporate houses and local business to promote child rights and provide child welfare services. It also has a program of Girls Empowerment (GE) through various means of supports.

ICRI-Nepal commits to the following vision, mission and core values/principles, and will ensure that all its activities, programs and staff behaviour reflects those core values and principles:

### ***Vision***

- Society where children are safe, valued and can compete globally

### ***Mission***

- To help children survive, thrive and succeed

### ***Core values/principles***

- Non-tolerance of any forms of discrimination against children
- A-political, non-religious, non-judgmental, non-coercive, transparent, and accountable in operations
- Respecting children's dignity and privacy
- Gender equality and inclusiveness

### **ICRI Nepal's child safeguard/protection policy:**

- To protect children served by ICRI Nepal's programs from all forms of abuse, discrimination and exploitation within family, community, school, ECD Centre and society at large;
- To ensure that all staff, board members, and stakeholders who work with ICRI Nepal abide by the child protection policy;
- To equalise human rights for children of all ages including the ones who are highly vulnerable to invisibility/ marginalisation and are stigmatised by the community.
- To comply with international standards of Child Protection Policies;

- To facilitate participation of all children in education, health services and other domains of social participation.

ICRI Nepal takes its responsibility for protecting children and young people seriously and is committed to the safety and wellbeing of children and requires all staff to report abuse and neglect.

We uphold the rights and obligations of the United Nations Convention on the Rights of the Child (UNCRC). Through the identification and management of risks that may lead to harm of children, ICRI Nepal aims to provide the safest possible environments for any children with whom it works. We encourage child-safe practices within our organisation with the aim of children experiencing zero harm as a result of our programs.

## 1. **Policy Overview**

International Child Resource Institute Nepal has a fundamental duty of care towards protecting children engaged within its programs and activities and is committed to the safety and protection of children from all forms of abuse and exploitation. This Child Protection Policy recognises that children can be extremely vulnerable, especially in situations of poverty and/or humanitarian crisis or conflict and need to be protected.

ICRI Nepal will use a risk management approach to minimise the likelihood of child abuse and provide clear and practical guidelines for staff and representatives responding to child abuse and managing complaints.

This Policy has been developed to adhere to international standards such as the United Nations Convention on the Rights of the Child (UNCRC). This Policy operates in conjunction with common and statute law and does not exclude or replace the rights and obligations of any individual under the **Children's act (1992)**. This Policy should be seen as a component of the broader ethical framework and Code of Conduct of International Child Resource Institute Nepal. Disciplinary processes are a means to establish and maintain an ethical, efficient and effective organisation and should not be seen in isolation from the overall goals of the organization.

## 2. **Purpose**

This Child Protection Policy aims to achieve the following:

- To protect children from harm, exploitation and abuse by adopting a goal for children experiencing 'zero harm' as a result of our programs. This will be achieved by identifying and managing the risks associated while working with children, and ensuring that internal procedures are in place and adapted by staff and associated schools for handling complaints related to child protection;
- To protect ICRI Nepal staff, associated schools and representatives from undue suspicion or incorrect allegations by having a clear and transparent reporting system;
- To protect ICRI Nepal's organisational integrity and reputation, as well as that of its partners, by deterring child sex offenders with a sound Child Protection Policy and related procedures.

### **This policy outlines**

- Definitions of child abuse and other relevant terms;

- Child protection legislation, conventions and guidelines;
- ICRI Nepal 's set of commitments to child protection;
- ICRI Nepal's risk management approach to minimise the likelihood of child abuse and exploitation;
- ICRI Nepal's Code of Conduct governing interaction with children;
- ICRI Nepal's practical reporting procedures and response mechanisms.

### 3. Scope

This Policy applies to:

All staff members of International Child Resource Institute Nepal including those attached to other organisations, contractors, sub-contractors, travelling board members, programme participants (ie. volunteers, trainers, teachers, group leaders and facilitators) and/or any accompanying dependants and other family members.

### 4. Definitions

**Child** means every person below the age of 18.<sup>1</sup>

**Child abuse** is the physical, sexual, emotional mistreatment or neglect of a child resulting in actual or potential harm to the child's health, survival, development or dignity in the context to the relationship of responsibility, trust or power.

**Child protection** is an activity or initiative designed to protect children from any form of harm, particularly harm arising from abuse, neglect or exploitation.

**Physical abuse of a child** is when a person purposefully injures or attempts to injure a child from an interaction or lack of interaction which is reasonably within the control of a person in a position of responsibility, power or trust over the child. This may take the form of slapping, punching, shaking, kicking, burning, shoving, grabbing or choosing not to assist a child when they are in a physical pain. There may be a single incident or repeated incidents.

**Emotional abuse of a child** is any action that is not physical but that has a negative effect on the social, intellectual or emotional development of a child. Emotional abuse is categorised loosely as the chronic behavioural pattern directed at a child whereby a child's self-esteem and social competence is undermined or eroded over time. It can take the form of name-calling, threatening, belittling, ridiculing, intimidating, isolating, ignoring or other non-physical forms of hostile or rejecting treatment towards the child.

**Neglect of a child** is the failure to provide the child with the basic necessities of life such as food, clothing, shelter, education, supervision of emotional development and/or protection from foreseeable harm in the context of resources reasonably available to the family or caretakers of the child and to the extent that the child's health and/or development are at risk.

**Sexual abuse of a child** is when a person who is in a position of responsibility, trust or power over a child involves the child in sexual activity which is intended to gratify or satisfy the needs of the other person and which the child does not fully comprehend, is unable to

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<sup>1</sup>As defined by the [Convention](#) on the Rights of the Child (United Nations, Article 1).

give informed consent to, or is not developmentally prepared. This can include contact acts such as rape or sexualized touching or non-contact acts (such as exposure to pornography or taking sexual photographs of the child).

**Domestic violence** is a pattern of assaultive and/or coercive behaviours conducted within the family environment or domestic (home) environment which can include physical abuse, sexual abuse, emotional abuse and/or economic coercion.

**Child Exploitation** is when a child is used in work or other activities for the benefit of others. This includes, but is not limited to, the **commercial sexual exploitation of children** whereby a child is sexually abused in return for cash or for kind and **child labour** whereby a child is forced to work or perform other acts to an extent detrimental to the child's physical, social or mental development.

### **Guiding Principles of this Policy**

This Policy is based upon the following guiding principles:

- **Zero tolerance** of child abuse;
- Recognition and promotion of children's **best interests**;
- Taking **responsibility** for child protection;
- Use of a **risk management** approach to prevent child abuse; and
- **Report and respond** to all incidents of child abuse.
- Creating an **inclusive environment** for all children
- **Sensitivity** for most vulnerable children

### **5. International Child Resource Institute Nepal's Commitments**

International Child Resource Institute Nepal is committed in implementing and maintaining child protection measures to the highest standard. These include:

- In all contracts involving ICRI Nepal, all parties agree to abide by the requirements of this Policy;
- Child protection risks are included in all project and activity risk assessments;
- Culturally specific issues relevant to child protection will be incorporated into project specific risk management strategies, training and response procedures;
- Preventative child protection measures are implemented to the highest standard;
- Comprehensive child-safe recruitment and screening processes are employed;
- Child protection training is regularly provided to relevant International Child Resource Institute Nepal employees and representatives;
- A child protection Code of Conduct exists and is understood and signed, wherever applicable, by all International Child Resource Institute Nepal employees and representatives that are bound by it;

- Clear and current reporting procedures exist and are known by ICRI Nepal employees and representatives;
- National laws and processes and local resources are taken into account within reporting and response mechanisms;
- No person is permitted to work with children if they pose an unacceptable risk to children's safety or wellbeing;
- All employment contracts involving ICRI Nepal outline that International Child Resource Institute Nepal has the right to dismiss, suspend or transfer to other duties personnel who breach the child protection code of conduct; and
- The highest levels of confidentiality and sensitivity are employed pending an official investigation of an incident.
- International Child Resource Institute Nepal ensures the safety, participation and dignity of the most vulnerable children (children with disability).

## 6. The Child Protection Code of Conduct

### **Acceptable Behaviours**

International Child Resource Institute Nepal personnel shall:

- Be familiar with the organisation's child safeguard/protection policy;
- Treat children with respect regardless of their race, colour, gender, language, religion, socio-economic status, political or other opinion, national, ethnic or social origin, property, disability, birth or other status;
- Identify the vulnerable children/children at risk and make sure that your action/support promote hope and dignity for identified children;
- Promote suitable participation of all children;
- Try to ensure the accountability of service providers in realising the rights of children;
- Empower children to claim their rights – inform them about entitlement and existing provision;
- Strengthen institutions (family, school and other community) to reduce risk of abuse/exploitation of children;
- Adopt child friendly approaches while interviewing children;
- Immediately report concerns or allegations of child exploitation and abuse and policy non-compliance in accordance with appropriate procedures;
- Immediately disclose all charges, convictions and other outcomes of an offence, which occurred before or during one's association with ICRI Nepal that relate to child exploitation and abuse;
- Immediately raise concerns regarding a child's safety or wellbeing in accordance with ICRI Nepal's reporting procedures and observe procedural fairness when engaged in decision-making;

- Be visible when working with children and, wherever possible, ensure that another adult is present when working in the proximity with children;
- Listen to children and allow them to be engaged in decisions that may or may not affect them;
- Comply with all relevant Nepal's legislation and legislation of the host country, including labour laws in relation to child labour; and/or
- Follow organisational policy and guidelines regarding the safety of children.

Key principles to International Child Resource Institute Nepal's Child Safeguard/Protection Policy lies in the best interest of child, being sensitive to the situation, promoting participation and the rights of the child and being non-discriminative.

### **Unacceptable Behaviours**

International Child Resource Institute Nepal personnel shall not:

- Use language or demonstrate behaviour towards children that is inappropriate, derogatory, harassing, abusive, demeaning, sexually provocative, or culturally insensitive one that threatens children's self-esteem and cause emotional abuse;
- Develop physical or sexual relationship with children including any activity which is exploitative and abusive; fondle, hold, hug, kiss or touch children.
- Engage children in any form of sexual intercourse, sexual activity or acts, including paying for sexual services or acts;
- Invite unaccompanied children into your home, unless they/children are at immediate risk of injury or in physical danger;
- Spend time alone with children- in case privacy is required, make sure that the room is open and other members are also aware on such issue;
- Sleep close to unsupervised children unless absolutely necessary, in which case I must ensure that another adult is present if possible;
- Access child pornography through any medium;
- Use physical punishment on children;
- Hire children for domestic or other labour which is inappropriate given their age or developmental stage, which interferes with their time available for education and recreational activities, or which places them at significant risk of injury;
- Exclude or favour a particular child;
- Allow children to be systematically neglected and fail to protect children from any harm you are aware of;
- Promise anything you cannot deliver.

Note: The above list is not exhaustive but should serve as a starting point in the right direction.

## **7. The Photograph Policy for Using Children’s Images**

When photographing or filming a child for work related purposes, International Child Resource Institute Nepal personnel must:

- Obtain consent from the child or a parent or guardian of the child. As a part of this an explanation as to how the photograph or images will be used must be given and approved for use;
- Ensure photographs, films, videos and DVDs present children in a dignified and respectful manner and not in a vulnerable manner;
- Ensure images are honest representations of the context and the facts;
- Ensure images of children available for public use do not reveal any identification information.

## **8. Reporting and Incident Response**

### **Reporting Child Abuse**

Any suspicion or disclosure of child abuse must be immediately reported to the Director. All incidents will be reported and managed in accordance with the International Child Resource Institute Nepal’s Child Protection Incident Reporting Process. (Refer to Appendix 2).

### **Guidelines to responding to Child Abuse Allegations**

1. ICRINepal takes all allegations of child abuse by ICRINepal personnel seriously;
2. All allegations will be thoroughly investigated; and
3. Where an incident has been reported the following procedures will be followed:

### **For non-critical incident allegations**

A non-critical allegation of child abuse is one which does not pose immediate risk to a child supposing the allegation was true. These incidents may well be critical in nature but the time frame for responding is not as immediate; an example is accessing child pornography.

1. The incident will be documented and investigated in accordance with ICRI Nepal Incident Reporting and Response Procedure;
2. The incident will be investigated in full respect for the privacy of the accused and the alleged victim and information will be dispersed on a “need to know” basis with the primary concern being the rights and welfare of the people involved;
3. The accused person will be given an opportunity to express their views/opinions/version of facts;
4. The views of the alleged child victim will be considered in light of the documented evidence that children rarely lie about abuse; and
5. Where the incident is reasonably proven to have occurred, appropriate disciplinary measures will be taken, including, but not limited to:
  - Warning; and/or
  - Suspension; and/or
  - Dismissal.

- Criminal incident reported to police authorities

The disciplinary measure will depend on the nature and severity of the offence and will be at the discretion of the Director and will be fully documented and reported to ICRI Nepal's Executive Board.

### **For critical allegations**

A critical allegation is an allegation whereby there may be an immediate risk to the welfare of a child should the allegation be found true – an example is inappropriate sexual activity.

1. Where the allegation involves a violation of either the laws of the country in which the incident occurs, or the laws of Nepal, the incident will immediately be reported to appropriate authorities and the person will be suspended from employment pending an investigation;
2. All efforts will be taken to ensure the confidentiality and rights of the accused person and information related to the incident will only be shared on a "need to know basis";
3. If the incident involves a breach of the Code of Conduct (but is not a violation of national laws), the accused person may be suspended pending an investigation;
4. Where a breach of the Code of Conduct is found to have occurred, all circumstances will be considered and the appropriate action will be taken;
5. Where an allegation is found to be false or unfounded, all efforts will be taken to ensure the rights of the accused person is upheld;
6. Where allegations amount to a violation of laws of Nepal, privacy will no longer be applicable unless deemed necessary to uphold the rights of the victim;
7. Where appropriate in investigations, International Child Resource Institute Nepal will consider and take into account legal advice as well as advice from any responsible authorities.

### **9. Recruitment and Reference Checking**

International Child Resource Institute Nepal will not knowingly permit any person to be employed or engaged as a volunteer if they pose an unacceptable risk to children. ICRI Nepal clearly prioritizes preventive action than punitive. Hence, it will include child protection policy session during the official induction. In addition, ICRI-Nepal will orient existing staff to safeguard the rights of all children.

In addition:

- All applicants interested for recruitment with ICRI Nepal will undergo profile check and reference checks with former employers /referees, it will be conducted to assess the applicant's suitability for the role to work with children. Referees cannot include partners, spouse and/or other relatives. Referees will be asked whether they hold any concerns about the applicant, or if complaints were made about the applicant, in connection with working or having contact with children during the recruitment phase;
- Once appointed, he/she will be required to sign the policy and strictly abide by the provisions of the policy;

- Applicants are required to provide documentation to prove their true identity.

The interview process for candidates at ICRI Nepal will include behaviour-based interview questions that relate directly to working with children to understand the applicant's attitude, experience and approach to working with children relevant to the post applied for where appropriate; questions may be taken from the list below:

- How have you managed children who did not want to participate in an activity?
- If you needed to take a photo of a child for documentation purposes what would you do?
- If you saw a child with a disability being kept in inhuman way, what would you do?
- What motivates you/why do you want to work with children in this program?

#### **10. Child Protection Education and Training**

Child Protection training will be given during induction after recruitment. At instances when the Child Protection Policy is revised/reviewed all staff will be oriented to the new policy.

All new ICRI Nepal personnel will receive:

- A Child Protection Policy induction by the Human Resources Department. The induction should include a discussion regarding the responsibility of International Child Resource Institute Nepal and the individual to build and maintain a child-safe organization, and appropriate behaviour when interacting with children or child-sensitive material.
- A copy of International Child Resource Institute Nepal's Child Safeguard Policy and associated procedures.

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## International Child Resource Institute Nepal (ICRI Nepal)

### DECLARATION OF COMMITMENT

The Human Resources Department will inform of the Child Protection training during induction after recruitment and will require the new staff to sign the policy. One hardcopy each of the signed Child Protection Policy will be kept with the new staff and the Human Resources Department. Scanned copy of the signed policy hard document will be emailed to the new staff.

By signing this document, I indicate my understanding and acceptance of the provisions outlined within the document. I understand my legal and ethical obligations as detailed within the document. I understand that a breach of this Policy and/or Code of Conduct may provide grounds for my employment with ICRI Nepal to be terminated. I also understand that a breach of this Policy and/or Code of Conduct could result in criminal prosecution.

I declare that:

- I have read and understand ICRI Nepal's Child Protection Policy;
- I will work within the procedure as laid out in ICRI Nepal's Child Protection Policy;
- I will report any suspected child abuse, exploitation and neglect by others immediately;
- I have not been accused or convicted of any offence involving any form of abuse, neglect or exploitation of children or young people;
- I understand that if a complaint is brought against me regarding the abuse of children whilst I am engaged in ICRI Nepal activities, the allegation will be thoroughly investigated in cooperation with the appropriate authorities;
- I understand that it is my responsibility as a person engaged by ICRI Nepal to avoid actions or behaviours that are abusive or exploitative of children or actions that could be construed as such;
- I authorise ICRI Nepal to undertake any necessary enquiries, including criminal record checks and reference checks as part of my appointment and recruitment process;
- I confirm my willingness to participate in ICRI Nepal training sessions on child protection.

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## International Child Resource Institute Nepal (ICRI Nepal)

### CHILD PROTECTION INCIDENT REPORTING SHEET

Please fill out as many sections as possible with as much detail as you can. This form is confidential.

Location:
Your name:
Your position:
Child's name:
Age/date of birth:
Child's address (if known):
Name of parents/guardians/carers and addresses (if known):
Date and time of incident:
Member of staff involved in incident (if any):
Place where incident occurred:
Your observations:
Details of concern/ suspicion/ incident: Describe what happened: time, dates, names of person(s) involved, behaviour or physical signs observed, any other details:
Details of any conversation with the child:
Action taken so far (if any):
External agencies contacted (date and time):

Police (Yes/no)	If yes – which station: Name and contact number: Details of advice received:
Social services (Yes/no)	If yes – which one: Name and contact number: Details of advice received:
ICRI <b>Nepal</b> 's child focal point person/manager:	Name and contact number: Details of advice received:
Local authority:	If yes – which authority: Name and contact number: Details of advice received:
Other:	Which organisation: Name and contact number: Details of advice received:
Signature: Name: Date:	

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## International Child Resource Institute Nepal (ICRI Nepal)

### CHILD PROTECTION RISK REGISTER

*Identify and manage the risks and dangers to children in your programs and activities*

<b>Risk Register Owner</b>	Admin Officer:
<b>Approved By</b>	Executive Board:
<b>Issue Date</b>	
<b>Review Date</b>	

Note: Child protection risk management is child abuse prevention. Risk means the potential for something to go wrong. Risk management means identifying the potential for an accident or incident to occur and taking steps to reduce the possibility of it occurring. We need to identify potential risks and ways children can be harmed in the organisation. Only by identifying risks we can develop strategies to minimise and prevent child abuse. To work and ask with staff and participants some examples are provided in next page to give an idea of how to approach this task.

<b>Activity Type</b>	<b>Risks to Children</b>	<b>Protocols/procedures to reduce risks to children</b>	<b>Who will be responsible for strategies/action taken? By when?</b>
<i>Treatment of children with disability</i>	<i>The care taker, service provider, hotel staff may harm the children during travel and stay in hotel during treatment process.</i>	<i>More than one people accompany the children during treatment process.  We encourage the presence of family members during travel, treatment and accommodation.</i>	<i>District Team Leader, immediately after notice</i>
<i>Physiotherapy/Counselling/Assessment to the children with disability</i>	<i>Service provider may harm during providing the services</i>	<i>Presence of family members is mandatory during Physiotherapy/Counselling/Assessment session.  Orientation on child protection policy during induction training to the service provider.</i>	<i>District Team Leader, immediately after the notice</i>
<i>Training to child club members/ Extracurricular activities/Child club meeting</i>	<i>Trainer or friends could harm at training/event venue and on the way to training/event.</i>	<i>Separate rooms for boys and girls to sleep.  Avoid travelling during the night.  Assign a responsible person from ICRI-Nepal to monitor the situation from time to time.  Orient to child club members about potential risk of abuse and ways to reduce risk.  Procedure established to complain when children feel that they are abused.</i>	<i>District Team Leader, soon after suspect</i>
<i>Home based education for children with disabilities</i>	<i>Tutor may harm during education session</i>	<i>Teaching place should be visible for family members.  Teaching time is scheduled when the family members are at home.</i>	<i>District Team Leader, soon after the information</i>
<i>Enrolment children with disabilities (Deaf, blind and intellectual disabilities) at special education centre. In special education centre, children are provided accommodation and education.</i>	<i>Teachers, other staffs and peer students may harm them in residential home.</i>	<i>Provision of separate rooms for boys and girls. Orientation on child protection for the teachers, care takers, kitchen staffs and students. Walking alone in the night (to use toilet or drinking water) is not allowed. Code of conduct developed to reduce potential abuse and risk. Regular monitoring from concerned authorities and discuss the issues with children.</i>	<i>Head Teacher, District Team Leader of ICRI Nepal,  Soon after the information.</i>

