

The CharChar Trust Child Safeguarding Policy and Strategy

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1 Introduction

The CharChar Trust aspires to improving the quality of life of Malawian primary school children by delivering quality teacher training and educational resources. The CharChar Trust is dedicated to protecting all children and vulnerable people within the schools and communities where the Trust operates in Malawi.

The CharChar Trust does this by:

1. Conducting rigorous background checks on all staff employed by the Trust.
2. Raising awareness of the rights of children and vulnerable persons through staff inset training.
3. Providing accredited child protection training via **UNICEF** on-line courses (<https://agora.unicef.org/course/info.php?id=915>).

This policy is informed and guided by the following:

1. Malawi Child Care, Protection and Justice Act, 22 of 2010
2. The Convention on the Rights of the Child (UNCRC) 1990
3. The Malawi Constitution
1. Malawi Gender Equality Act 2013

This policy has been workshopped with Std7 & Std8 learners who benefit from CharChar programmes at their primary schools. Their comments have been incorporated into the policy.

2 Nature And Purpose Of This Policy

1. The CharChar Trust provides human and physical resources to Malawian primary schools.
2. This often entails working directly with young children which puts them in a potentially vulnerable position.
3. We recognise the importance of protecting children and for this reason all CC staff and contractors are trained to ensure that any engagement with children and child are governed by strict ethical principles that ensure that no harm comes to those who participate in our educational programmes, and also protect the employees and contractors from false accusations.

3 Definitions

1. Staff: all employees, full and part-time, and programme volunteers that have any contact with child or access to facilities
2. Contractors: all individuals working for The CharChar Trust on contract or in terms of a Memorandum of Understanding.
3. Child: all individuals under the age of 18 years.

4 Principles And Guidelines For Child Protection

1. All child interviews held on-site at primary school locations will be conducted in the presence of at least two adults; including a member of CharChar staff and a class teacher, additionally prior consent will be obtained from the head teacher (acting *in loco-parentis*) as well as obtaining assent from the child.

2. All photographs or images captured must comply with the *'CharChar 'Media Images Code of Conduct 2018'.
3. Only parents, legal guardians and Head teachers can provide consent and children can only provide assent. NB: All consent forms will be stored in relevant school file.
4. The identity of all children who's images will be publicly available to remain anonymous.
5. Treat all children with respect regardless of differences of religion, age, culture, gender, ability and economic conditions.
6. Allow children to have a say in decisions that affect them and listen earnestly to their concerns.
7. Engage in appropriate behaviour and use language that is not intended to shame or humiliate children in any way.
8. Take all reasonable steps to ensure that children are safe and comfortable to answer research questions when being interviewed and when participating in programmes and interventions.
9. No child should ever be placed at risk of harm in any way.

5 Preventative Measures

5.1 Recruitment And Selection

1. The CharChar Trust follows stringent recruitment processes to ensure that all staff who are recruited understands and commits to the CharChar Trusts' Policies and Procedures.
2. Reference checks are done on all potential recruitment of which at least one written reference from a previous employer or character reference is kept on file.
3. Before commencing employment all staff are required to attend an induction course where the CharChar Trusts' policies, procedures and guidelines are discussed in detail to ensure there are no misunderstandings.
4. Staff are required to sign confidentiality agreements for each project, which further safeguards the integrity and confidentiality of the child.

5.2 Screening

All CharChar Trust staff will be screened in accordance with this policy. All CharChar Trust staff and volunteers who work directly with children will be

5.3 Written Application

1. All potential staff must complete and sign a written application form that will request basic information from the applicant and will inquire into previous experience with children, reference and employment information, as well as disclosure of any previous criminal convictions.
2. The application form will be maintained in a secure, confidential personnel file at the CharChar Trust administrative office.

5.4 Personal Interview

1. A personal interview will be conducted with the applicant by management staff to discuss the position and the applicant's talents, qualifications and abilities.
2. Multiple and/or group interviews may be conducted as appropriate.

5.5 Reference Checks

1. All applicants must provide at least three (3) references.

2. References may be personal or professional and be presented in written form or by providing phone contact information.
3. All references will be confirmed by management staff and documented in the applicant's personnel file.
4. At least one reference will be from a personal contact if available.

5.6 Criminal Background Check

1. Criminal background checks will be conducted for all potential staff after they've completed an application.
2. Background checks will comply with applicable Malawi regulations governing programmes.
3. Applicants will not be considered for positions when checks show evidence of convictions for an offense involving children and/or for offenses involving violence, dishonesty, illegal substances, indecency and any conduct contrary to the mission of the The CharChar Trust
4. Failure to disclose a criminal conviction on the application form may also terminate an individual's application.

6 Staff Training

1. All CharChar Trust staff who may come in contact with children will receive specific Child protection and safeguarding training.

7 Training And Education

1. All staff will receive an orientation that includes:
 - a. Review and receipt of the CharChar Trust Media Images Code of Conduct - an original signed copy will be kept in the individual's personnel file
 - b. Review of policies related to safety, transportation, prevention and reporting of child abuse and emergency procedures - within the first week of their activation
 - c. Training in recognising signs of suspected child abuse - within three months of activation
 - d. Training in the prevention of "Bullying" - within three months of activation
 - e. Supervisors will be trained on hiring and screening potential staff members – within three months of activation
2. Policy volunteers will review this policy as part of their initial orientation
3. Staff training and orientations will be updated and refreshed each year
4. Documentation of all training will be maintained in each individual's personnel file.
5. The CharChar Trust will offer educational information and resources for the community, parents and child through workshops, programmes, and the use of printed and/or audio-visual resources.
6. At these training sessions, participants are introduced to all aspects of our educational programmes, information relating to acceptable behaviours and appropriate boundaries when interviewing children.
7. Staff are also equipped with the necessary containment skills to be able to respond appropriately when situations arise in field.

8. During the course of fieldwork, staff will also be aware of what steps should be taken to report any abuse or maltreatment of children that are disclosed to them during the course of their fieldwork or interviews with children.

8 Reporting

1. For purposes of this policy, “abuse”, in relation to a child, means any form of harm or ill-treatment deliberately inflicted on a child, and includes—
 - a. Assaulting a child or inflicting any other form of deliberate injury to a child
 - b. Sexually abusing a child or allowing a child to be sexually abused
 - c. Bullying by another child
 - d. A labour practice that exploits a child
 - e. Exposing or subjecting a child to behaviour that may harm the child psychologically or emotionally
2. Supervisors are skilled to perform and address any performance-related issues that may have a negative impact on children, such as, but is not limited to the following:
 - a. Staff programme facilitation methods
 - b. Staff communication skills
 - c. Staff interpersonal skills
 - d. Staff counselling skills
3. Any irresponsible and unprofessional behaviour must be reported within 24 hours to the Project Manager. “Irresponsible and unprofessional behaviour” is defined as follows:
 - a. Any conduct or speech that might potentially cause emotional, physical or psychological harm to a child and in doing so, violates any rights the child may have in terms of the Malawian constitution, the Malawi Child Care, Protection and Justice Act , The Convention on the Rights of the Child and the Malawi Gender Equality act.
4. The safety of children is always our priority and therefor strict action is taken when concerns, witnessed or suspected disregard of the Child Protection Policy is reported.
5. The process below must be followed by all internal CharChar Trust staff.
6. External contractors will report any suspected child abuse or neglect to their CharChar Trust line manager. Thereafter, the same process as outlined below will be followed.

STEP 1:

1. All CharChar Trust staff will report known or suspected child abuse immediately or as soon as practically possible, taking note of the following:
 - a. Child's name, address and telephone number.
 - b. Parents or guardians name and telephone numbers.
 - c. Reasons for concern and any relevant statements made by the child.
2. If an incident of abuse or neglect is alleged to have occurred at or during CharChar Trust programmes or activities, the following procedure shall be followed:
 - a. The parent or guardian of the child will be notified
 - b. The appropriate authorities will be notified, consistent with applicable legislation

- c. The alleged perpetrator of the abuse or misconduct will immediately be suspended from the CharChar Trust pending an investigation
3. Staff will follow an internal chain of command for the reporting of abuse, making all reports to the relevant line manager
4. Staff may report directly to the CharChar Trust Country Director, if their supervisor does not handle any report immediately.

STEP 2:

1. Inform the designated CharChar Trust personnel in writing of the incident within 24 hours of the incident coming to light.
2. The CharChar Trust's Country Director and Managers are responsible for assessing the validity of the complaints within 72 hours.
- 3.

STEP 3:

1. The designated personnel should contact a Social Worker from a Child protection organization such as a Child Welfare Society or the Department of Social Development, or the Child Protection Officer of the Malawi Police Services.
2. The following should be noted:
 - a. The name of the person making the call;
 - b. The name of the intake worker receiving the call;
 - c. The date and time of the call; and
 - d. The action proposed by the person to whom the abuse has been reported.

STEP 4:

1. The social worker (and the police in some cases) will interview the child as soon as possible.
2. All CharChar Trust staff must cooperate with this process, as and where requested by the relevant authorities.
3. If response up is slow and particularly if the child remains at risk, the referring person should follow up until the child is safe.

STEP 6:

1. Once the official investigation has been completed, The CharChar Trust may pursue internal disciplinary proceedings, as and when necessary.
2. A detailed report must be submitted of findings pertaining to any investigations.
3. In the event there is no investigation of the incident by state or local authorities, a management team will be formed to investigate the circumstances of the incident.
4. The team should act only in consultation with an attorney
5. Any person who is not found innocent of the alleged abuse or misconduct will be removed from their position with the The CharChar Trust

9 Information And Communication Technology

1. Use of ICT to generate, access or be in possession of child pornography is illegal and should be reported in accordance with national laws
2. "Pornography" is defined as follows:

3. **'pornography'** means any image, however created, or any description of a person, real or simulated, who is 18 years or older, of an explicit or sexual nature that is intended to stimulate erotic feelings, including any such image or description of such person-
 - (a) Engaged in an act that constitutes a sexual offence;
 - (b) Engaged in an act of sexual penetration;
 - (c) Engaged in an act of sexual violation;
 - (d) Engaged in an act of self-masturbation;
 - (e) Displaying the genital organs of such person in a state of arousal or stimulation;
 - (f) Unduly displaying the genital organs or anus of such person;
 - (g) Displaying any form of stimulation of a sexual nature of the female breasts;
 - (h) Engaged in sexually suggestive or lewd acts;
 - (i) Engaged in or as the subject of sadistic or masochistic acts of a sexual nature;
 - (j) Engaged in any conduct or activity characteristically associated with sexual intercourse; or
 - (k) Showing or describing the body, or parts of the body, of that person in a manner or in circumstances which, within the context, violate or offend the sexual integrity or dignity of that person or any other person or is capable of being used for the purposes of violating or offending the sexual integrity or dignity of that person or any other person.
4. Staff found in possession of child pornography will be suspended pending a formal investigation
5. Pictures, materials and personal information regarding children is kept in a secure place.

10 Supervision

1. Supervision of child, programmes, facilities and staff will be designed to protect child and staff at all times.
2. Practices to ensure a safe and caring environment will include:
3. Field staff members and field staff supervisors will have their photo taken for an ID badge that will be worn at all times while on duty. The badge will also include the person's name. A copy of the photo will be included in each individual's personnel file.
4. Management staff may make unannounced visits at least two times per month to every programme.
5. A minimum of two staff should be assigned to each programme, operating site and vehicle.
6. Staff members will never be alone with an individual child where they are not observable by others.
7. Classroom doors should remain open unless there is a window in the door or a side window beside it. Doors should never be locked while persons are inside the room. All storage, maintenance and utility area doors will be secured when not in use.
8. All sites of operation will have access to a telephone or cellphone on location during operating hours.
9. Staff will avoid changing clothes in front of child.

10. All staff will fulfil a probationary period of three months until all training and orientation is completed.

11 Contact With Children

1. It is understood that caring quality staff will develop positive relationships with children while involved in The CharChar Trust programmes.
2. The following practices will be followed to ensure the protection of both children and staff outside of The CharChar Trust programmes or activities.
3. Staff will not initiate contact with or accept supervisory responsibility for child outside of The CharChar Trust programmes and activities.
4. Staff will not communicate with child outside of The CharChar Trust programmes via written, electronic or other means without express Executive approval.
5. Staff will appear and behave in a manner consistent with the mission and values of The CharChar Trust at all times while on or off duty; including electronic, written and verbal communications.

12 Communications

1. The CharChar Trust will promote positive values and child protection strategies in its programmes, facilities, with parents and in the community.
2. The CharChar Trust will designate a spokesperson to the media and community in the event of any incident concerning abuse or neglect.

13 Dissemination of the policy

1. The CharChar Trust is committed to ensuring that all relevant parties are informed about its policy and understand the importance of keeping children safe.
2. The CharChar Trust's Child Protection Policy is:
 - a. Circulated and discussed with all current and future CharChar Trust employees, contractors and consultants.
 - b. Circulated and discussed with all existing and potential funders.
 - c. Circulated and discussed with all current and future board members.
 - d. Circulated and discussed with the communities with whom the CharChar Trust collaborates.

NB: All of the above will be adhered to notwithstanding the challenges faced by Child Protection services in Malawi as detailed below:

13.1 Challenges in Child Protection

13.1.1.1 Weakness and gaps in the Laws

- Laws to protect children from violence and abuse co-exist alongside traditional norms which permit behaviour that contravene CRC and ACRWC
- Children who are often treated as having a lesser status under customary laws
- Lack and insufficient legal protection is one of the main obstacles
- Weakness of the law allow perpetrators of abuse to escape conviction
- Limited and weak capacity of services providers (State and Non State Actors) including mobility, skills and knowledge

- Inadequate Resources to implement policies and enforce laws
- Limited public knowledge
- Lack of legislation and insufficient legal protection is one of the main obstacles
- Poor Coordination among actors
- Poverty and HIV/AIDs increases the vulnerability of children

13.2 Recommendations

- Increase resource allocations for effective implement and enforcement of laws
 - Child Care, Protection and Justice Bill*
 - Prevention of Domestic Violence Act
 - National Registration and Identification Act*
 - Penal Code Amendment Act*
 - Police Service Act*
 - CRC
- Timely enactments of bills and amendments
 - "Human Trafficking –'Constitution (2007)
- Review of old Policies and law and domesticate international laws
- Mobilisation of members of general public to take part in child protection
- Improve Coordination and cooperation of actors
- Improve data collection systems
- Strengthen child rights monitoring systems
- **Make basic education in primary schools compulsory**
- Expand on cash transfer system
- Training of service providers in child protection

14 Monitoring

This policy will be reviewed and updated as needed by the CharChar Trust Board of Directors or its designee on an annual basis.

Adopted on 03/12/18 by the The CharChar Trust Board of Directors.

***The CharChar Trust Media Images Code of Conduct 2018**

Guiding Principles

Choices of images and messages will be made based on the paramount principles of:

- Respect for the dignity of the people concerned;
- Belief in the equality of all people;
- Acceptance of the need to promote fairness, solidarity and justice.
Accordingly in all our communications and where practical and reasonable within the need to reflect reality, we strive to:
- Choose images and related messages based on values of respect equality, solidarity and justice;
- Truthfully represent any image or depicted situation both in its immediate and in its wider context so as to improve public understanding of the realities and complexities of development;
- Avoid images and messages that potentially stereotype, sensationalise or discriminate against people, situations or places;
- Use images, messages and case studies with the full understanding, participation and permission (or subjects' parents/guardian) of the subjects;
- Ensure those whose situation is being represented have the opportunity to communicate their stories themselves;
- Establish and record whether the subjects wish to be named or identifiable and always act accordingly;
- Conform to the highest standards in relation to human rights and protection of the vulnerable people.
- Conform to the highest standards in relation to children's rights according to the Convention on the Rights of the Child (CRC); as children are the subjects most frequently portrayed.