

Policy Regarding Safeguarding for Children and Vulnerable Adults Against Bullying, Harrassment and Sexual Harrassment, Exploitation and any Form of Abuse

Cerebral Palsy Africa has a zero tolerance policy towards any of the above forms of Abuse

Cerebral Palsy Africa is committed to ensuring the wellbeing of all children and vulnerable adults, most especially those with disabilities. Recognising that abuse and exploitation of children happens in all countries and societies across the world, this policy seeks to set out values, principles, and beliefs that are common to our work internationally. It also describes the steps that will be taken to meet Cerebral Palsy Africa's commitment to ensuring the full protection of the children with disabilities¹ and young adults with whom we work and support².

Definitions

Child Protection

Measures and structures to prevent and respond to abuse, neglect, exploitation and violence affecting children **Abuse** is a deliberate act of ill treatment that can harm or is likely to cause harm to a child's safety, wellbeing, dignity and development. **Child exploitation** is the use of children for someone else's advantage, gratification or profit, often resulting in unjust, cruel and harmful treatment of the child. **Neglect** is a process of deliberately, or through carelessness or negligence, failing to provide for, or secure for a child, their rights to safety and development. **Violence** is all forms of physical or emotional harm, injury and abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse. More in depth explanations of each of these terms is given in the "Definition of Key Terms," appendix 1. In addition, Cerebral Palsy Africa acts to prevent or respond to certain traditional practices that are harmful to children that can cut across or fall under one or more of the categories of child protection concern. Disabled children are particularly vulnerable to some of these practices, particularly accusations of sorcery or possession.

The definition of a disabled person is as follows: those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others. (UN Convention on the Rights of Persons with Disabilities, 2007)

Safeguarding and Disability

For Cerebral Palsy Africa, child protection is of particular concern as disabled children are especially vulnerable to abuse and exploitation, as a result of the deep social and structural discrimination they can face. Given the social barriers they often encounter, disabled children can have less interaction with other children and adults than their peers and thus have reduced opportunity to confide in anyone about their situation. This is compounded by the fact that disabled children have less access to education, child protection and medical, psychosocial, legal and other services, including reporting mechanisms that rarely accommodate their specific and individual needs.

Disabled children may be more vulnerable to abuse because they:

- May not have sufficient communication skills or vocabulary to describe what is happening to them.
- May have a system of communication that involves more touching.
- Can be dependent on others for eating, dressing, bathing, using the toilet, and getting around.
- May be living away from home, such as in a residential school or care home. Or they may stay away from home frequently in order to provide parents with breaks from caring. Like all children

they may lack the knowledge and awareness needed to stay safe and make informed choices. In particular, disabled children often receive less personal, social and sexual education.

Evidence with regards to the higher rates of abuse and violence experienced by disabled children includes the following¹:

- In Kenya, it is estimated that 15–20% of disabled children experience severe levels of physical and sexual violence, with girls with intellectual impairments being particularly vulnerable.
- In South Africa, it has been found that children with physical impairments are three to four times more likely to be abused than able-bodied children; it is three to eight times more common for children with intellectual impairments to be abused when compared to their peers.
- Research in the US has found that disabled children are 1.8 times more likely to be neglected, 1.6 times more likely to be physically abused and 2.2 times more likely to be sexually abused. Another study found disabled children are 2.8 times more likely to be emotionally neglected; 2.1 times more likely to be physically abused, 1.8 times more likely to be sexually abused and 1.6 times more likely to be physically neglected. Overall they were 1.7 times more likely to be abused or neglected than non-disabled children.²

Traditional practices are customs that can present certain physical or emotional risks to those forced to engage in the tradition. Typically they are carried out due to a belief that they promote the emotional, spiritual, or physical wellbeing of the individual involved. Disabled children can be particularly susceptible to such practices. Whilst Cerebral Palsy Africa aims to respect cultural differences and beliefs our primary commitment is to the protection of children. Cerebral Palsy Africa will not work with organisations who condone or engage in such practices and where appropriate, will work to prevent and eliminate such practices at the community and individual levels. In this respect, we are guided by international legal standards in these areas.

Signs of abuse

There are difficulties in recognising the signs and symptoms of abuse and neglect among disabled children as they may exhibit certain physical and/or behavioural traits as a result of the nature of their impairment as opposed to actually resulting from abuse or neglect, and a disabled child may not be able to tell a responsible person that they are being abused. It is thus very important to recognise **changes in behaviour or health** (particularly those not typically associated with the individual's impairment) as potential abuse indicators. It is also important to note that there is no universal reaction or response to abuse or neglect, and each child may demonstrate signs of abuse differently.

While each victim of abuse, neglect, or exploitation will respond differently, the available research data reveals that the presence of certain physical and behavioural indicators described below are highly correlated with abusive situations.³

Physical signs of abuse:

- Sudden unexplained changes in behaviour.
- Signs of general distress or agitation.

1. Handicap International and Save the Children (2011) Out from the Shadows: sexual violence against disabled children
2. NSPCC Website at http://www.nspcc.org.uk/inform/research/briefings/disabledchildrenandabuse_wda48224.html visited 24 July 2013
3. Signs and symptoms listed are based on information from Agency for Person with Disabilities website at <http://apd.myflorida.com/zero-tolerance/common-signs/> accessed 24 July 2013

- New or unexplained marks or bruising. Bruises may be old and new, clustered on one part of body, or on both upper arms. Cuts, scars, burn marks, marks left by some form of restraint or gag, imprint injuries (marks shaped like fingers, hands, belts, sticks), broken bones, eye injuries, sprains, abrasions or scrapes. Bleeding from the ear, nose or mouth. Missing teeth.
- Spot balding from pulled hair.
- Unexplained marks in genital areas, vaginal or rectal pain, abrasions, bleeding, or bruising in the genital area.
- Frequent urinary tract infections or yeast infections, painful urination, incontinence in someone who was previously toilet-trained / soiling.
- Frequent sore throats.
- Sudden onset of psychosomatic complaints (males most frequently complain of stomach aches while females most frequently report headaches).

Behavioural signs of abuse or neglect:

It is particularly important to recognise that ANY unexplained change in behaviour can be a sign of abuse or neglect.

- Sudden unusual interest in or knowledge of sexual matters, sexualised behaviour not exhibited before (including excessive masturbation). Changes in the way affection is shown, especially if unusual or potentially inappropriate.
- Loss of or increased appetite.
- Self-harming.
- Suddenly fears being touched, fear of bathing or toileting, fear of a person or place.
- Sudden onset of nightmares, changes in sleep patterns; difficulty sleeping.
- Sudden regression in behaviour, i.e. bed-wetting, thumb-sucking when previously these were no longer occurring, sudden difficulty walking or sitting.
- Cruelty to animals.
- Depression, withdrawal, or mood swings.

Physical signs of neglect:

- Severe dehydration.
- Poor or improper hygiene, poor grooming (e.g., overgrown fingernails and toenails; uncut, matted, or unclean hair; body crevices caked with dirt), smell of urine or faeces on the person, lice.
- Malnourishment/ severe weight loss.
- Poor skin condition or skin breakdown (such as rashes, bedsores, or open wounds), which are present for a sustained period of time.
- Lack of necessary adaptive aids such as glasses, hearing aids, leg braces walkers etc., where they are locally available and/or affordable to the family.
- Failure to provide appropriate medical care (including the administration of prescribed drugs or improper medication management). Particularly where this lack of care is out of line with local standards or is likely to result in severe harm or death of the child.
- Lack of adequate or appropriate supervision.

If a child exhibits some of the signs listed it does not necessarily mean that the child is being abused, other changes in a child's life may lead to behavioural and physical changes. However, if you are concerned you should always take action and explore the situation further, please see the detailed guidance on next steps below.

Note that people may assume a disabled child is behaving differently just because of his or her disability – not realising that they are being abused. Also be aware that children with intellectual impairments may behave sexually in ways that are out of step with their age. It is important to be aware of the individual child's normal behaviour before drawing conclusions. It is best to seek advice from someone who regularly works with the child and can observe change in behaviour over time.

However, at the same time it is necessary to bear in mind this individual could be the perpetrator and so caution should be exercised as to the people with whom child protection concerns are raised. More details on reporting and on confidentiality/data protection of information is outlined below.

Purpose of Cerebral Palsy Africa's CPP

Article 19 of the United Nations convention on the Rights of the Child (UNCRC) states that: "Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child."

Cerebral Palsy Africa believes that civil society also bears responsibility to protect the children they work with and so, in line with the UNCRC, Cerebral Palsy Africa takes responsibility to safeguard and promote the welfare of all the children and young people we work with at all times so that they feel safe and are safe. This child safeguarding or child protection policy thus explains the measures we have put in place to ensure that the risks of harm to children's welfare as a result of our work are minimised. The guidance explains the actions we will take to prevent and respond to risks of child protection concerns arising. Whereby a child is any person under the age of 18 years and child protection includes all measures and structures to prevent and respond to abuse, neglect, exploitation and violence affecting children.

Whilst focused on protecting children from abuse, exploitation, violence and neglect it is expected that the guidance contained in this policy on appropriate behaviour towards children also be applied to vulnerable youths who are over 18, in particular disabled young people, who remain susceptible to abuse.

Where there are concerns about children's well-being or safety, we will take appropriate action to address these concerns. Our standards and principles are in line with international law, whilst by necessity we will apply these within the framework of local legislation, policies, procedures and humanitarian standards in full collaboration with our partners and other local agencies, in the UK and abroad, as necessary. Whilst we work to ensure international human rights standards are applied and seek to ensure that harmful traditional practices are addressed, investigation procedures, and legal actions we take will be in accordance with national law.

To whom does our policy apply?

This policy is put in place to ensure that all Cerebral Palsy Africa employees, volunteers, trustees, partners, representatives and collaborators...

- Uphold the protection of all children and vulnerable adults
- Act to prevent child abuse or exploitation of all children and vulnerable adults
- Respond to suspected or identified safeguarding cases

Employees, Volunteers, and Trustees

The following individuals must all comply fully with all aspects of Cerebral Palsy Africa's child safeguarding/child protection policy:

- All employees, full time, part time, international and national, and those engaged on short-term paid contracts, e.g. consultants, researchers, photographers, writers, etc.
- Volunteers, interns, and Trustees

They will be referred to here as "employees, volunteers, and Trustees". All Cerebral Palsy Africa employees, volunteers, and Trustees must act in accordance with this policy in both their professional and their personal lives.

All employees, volunteers, and Trustees will, as a minimum:

- Be given a copy of this policy when they first engage with Cerebral Palsy Africa and sign a copy of the Declaration of Acceptance, found at the end of this policy, agreeing to adhere to this policy
- Receive a briefing on the content of this policy as part of their induction.
- Will be told about reporting lines with regards to suspected child protection cases
- Will report any suspected cases of abuse or exploitation they witness
- Will provide references, and police or criminal records as requested by their recruiting manager dependent on their role and their responsibilities within the organisation

Collaborators

Representatives (including employees) of partner organisations

A separate section of the policy outlines how the principles herein apply to the different forms of partnership in which Cerebral Palsy Africa is engaged.

All employees, volunteers, trustees, partner employees and volunteers as well as collaborators will have access to an up-to-date copy of the safeguarding policy at all times.

Summary of Safeguarding/ Safeguarding Values, Principles and Beliefs

The following is a summary of our values, principles and beliefs with regards to child protection that are reflected in this policy:

- All child and vulnerable adults abuse involves the abuse of human rights and is thus unacceptable.
- All children and vulnerable adults are equal irrespective of their age, gender, disability, ethnicity, sexuality, marital status or religion.
- As such children and vulnerable adults all have equal rights to protection from abuse, exploitation and violence.
- Abuse, exploitation or violence against children and vulnerable adults is never acceptable.
- We are committed to protecting all the children and vulnerable adults with/ for whom we work.
- We are committed to ensuring that children and vulnerable adults are aware of their right to be protected from abuse and exploitation and we will communicate that right to the children and vulnerable adults with whom we work.
- We are committed to ensuring that all our employees, volunteers, and trustees wherever they are located, apply the highest standards of behaviour towards children both within their professional and their private lives.
- When we work through partners, they have a responsibility to meet minimum standards of protection for children in their programmes. We will support them to develop policies and procedures that enable this to be achieved.

These values, principles and beliefs must be reflected in the attitudes and work of all employees, volunteers, trustees and collaborators.

Summary of key actions regarding child protection We will ensure we do all we can do to protect children and vulnerable adults from abuse through the following means:

- **Awareness:** we will ensure that all employees, volunteers, trustees, partners and collaborators are aware of the problem of abuse and the risks to children. and vulnerable adults
- **Prevention:** we will ensure, through awareness raising and good practice, that employees, volunteers, Trustees, partners and collaborators minimise the risks to children and vulnerable adults.
- **Reporting:** we will ensure that employees, volunteers, Trustees, partners and collaborators are clear on what steps they must take whenever and wherever concerns arise regarding the safety of children and vulnerable adults.

- **Responding:** we will ensure that action is taken to support and protect children and vulnerable adults where concerns arise regarding possible abuse.

Code of Conduct

Expected Behaviour

All Cerebral Palsy Africa employees, volunteers, Trustees, and collaborators **must not:**

- Hit or otherwise physically assault or physically abuse children or vulnerable adults.
- Have sexual intercourse, or engage in any sexual activity, with anyone under 18 years of age or vulnerable adults, regardless of the age of consent in the current location. Mistaken belief in the age of the child is not a defence.⁴
- Develop any form of relationship with a child or children that could in any way be seen as exploitative, bullying or abusive.
- Act in ways that may be abusive or may place a child or vulnerable adult at risk of abuse.
- Use language, make suggestions or offer advice which is inappropriate, offensive or abusive.
- Behave physically in a way that is inappropriate or sexually provocative.
- Have a child/children or vulnerable adult with whom they are working stay overnight at their home (unless necessary and previously agreed with managers that this is for the safety of the child).
- Sleep in the same bed as a child or vulnerable adult with whom they are working.
- Sleep in the same room as a child or vulnerable adult with whom they are working (unless necessary and previously agreed with managers that this is for the safety of the child).
- Do things for children or vulnerable adults of an intimate, personal nature that the child or vulnerable adult can do for themselves (for example bathing, dressing or toileting assistance).
- Condone, or participate in, behaviour of children which is illegal, unsafe or abusive.
- Act in ways intended to shame, humiliate, bully, belittle or degrade children or vulnerable adults, or otherwise perpetrate any form of emotional abuse.
- Discriminate against, show unfair differential treatment to, or favour particular children or vulnerable adults to the exclusion of others, where this is unrelated or disproportional to their variable support needs.
- Act as negotiator in or assist the process of financial settlement between the family of a child victim of sexual abuse or exploitation and the perpetrator.
- Spend excessive time alone⁵ with children or vulnerable adults away from and unseen by others (including in vehicles) or spend time alone with a child alone inside their home unless exceptional circumstances apply and they have the prior approval from their manager. If there are no witnesses to confirm responsible and appropriate behaviour between adults and disabled children or vulnerable adults, individuals may be wrongfully accused of abusing or harming children.
- Investigate themselves suspected cases of abuse, violence or exploitation against children. Instead they should follow official reporting mechanisms as set out below and in the Cerebral Palsy Africa Whistleblowing Policy and allow trained individuals to carry out a full investigation of suspected child or vulnerable adults abuse.

All Cerebral Palsy Africa employees, volunteers, Trustees and collaborators **must:**

- Recognise that a child is any person under the age of 18 years.⁴
- Report concerns that a child or vulnerable adult is exposed to abuse or sexual exploitation immediately to their Executive Director.⁵
- Undertake induction and training on this policy that is relevant and appropriate to their position.
- Cooperate fully and confidentially in any investigation of concerns and allegations.

- Respond to a child who may have been abused/exploited in accordance with their best interest and safety.

4 This is in line with the UN Secretary General's Bulletin of 2003 'Special Measures for Protection From Sexual Exploitation and Abuse'

5 Managers are to determine on a case-by-case basis what is to be considered "excessive time" and under what circumstances time alone with a child beneficiary is considered suitable and appropriate given the context and situation of the individual child

- Identify, minimise and attempt to avoid potential situations of risk for children or vulnerable adults.
- Identify and avoid potential situations, which may lead to staff behaviour being misinterpreted.
- Ensure that this Safeguarding Policy is complied with if any child or vulnerable adult is to participate in any activity organised by Cerebral Palsy Africa.
- Comply with this Safeguarding Policy and the Cerebral Palsy Africa Communication Guidelines when gathering information from a child, children, vulnerable adults or their carers and / or sharing any information received about children through all media (including television, radio, and newspapers), the internet (including social networking sites, and newsfeed) printed and written materials (posters, photographs, press releases and reports).
- Plan and organise the work and the workplace so as to minimise risk of abuse, exploitation or harm coming to the children and vulnerable adults we work with.
- Promote a culture of openness in relation to child and vulnerable adult safeguarding issues, where any issues or concerns can be raised and discussed between and among employees, volunteers, Trustees and partners.
- Ensure that a sense of accountability exists between employees, volunteers, Trustees and partners so that poor practice or potentially abusive behaviour can be recognised and challenged
- Communicate with children and vulnerable adults with whom we work about their contact with employees or others associated with Cerebral Palsy Africa and encourage them to raise any concerns; this includes the responsibility to use different modes of communication appropriate to the age and abilities or impairments of the children.
- Empower children and vulnerable adults we work with and communicate to them their rights, including their right to be safe, what is acceptable and unacceptable behaviour, and what they can do if there is a problem.
- Communicate to children and vulnerable adults we work with and their families what standards of professional practice they can expect of Cerebral Palsy Africa employees and what to do if they feel that employees, volunteers and/or trustees are falling short of these standards.

Procedures for Responding to Suspected or Identified Child Protection Cases

Principles

In order to ensure the standards for reporting and responding to incidents of abuse, exploitation and violence are realised employees, volunteers, partners and Trustees **must:**

- Take seriously any concerns raised.
- Take positive steps to ensure the safety and protection of children and vulnerable adults who are the subject of any concerns.
- Refer children and vulnerable adults and their parents/carers, employees or other adults who raise concerns or who are the subject of concerns to health, psychosocial support or legal services as needed and requested by the child, the vulnerable adult and their caregivers
- Act appropriately and effectively in instigating or co-operating with any subsequent process of investigation.

- Be guided through the process by the principle of ‘best interests of the child or vulnerable adult’, which broadly speaking means the child’s well-being. The desire to secure the best outcomes for the child or vulnerable adult should always determine decisions to be made with regards to action to be taken in response to child protection concerns.
- Respect and take seriously the views, wishes and feelings of children and vulnerable adults, however communicated.

Cases to be reported

Reporting guidelines will apply specifically and only in such cases where Cerebral Palsy Africa has direct responsibility, namely in the two following situations:

- 1) Where the suspected child or vulnerable adult abuse and/or violation is the direct action of an Cerebral Palsy Africa employee, volunteer, Trustee or collaborator.
- 2) Where the suspected child abuse and/or violation is witnessed by a Cerebral Palsy Africa employee, volunteer, trustee or collaborator and is being perpetrated by a employee or volunteer of one of Cerebral Palsy Africa’s partner organisations.

Reporting Mechanisms

- Employees, volunteers and trustees should report any cases witnessed, as described above, to the Executive Director as soon as possible and at least within 24 hours of identifying the possible child protection concern, wherever and whenever communications allow. Cerebral Palsy Africa’s employees, Trustees and volunteers should make reference to and follow the Whistleblowing Policy. For the avoidance of doubt the following guidelines should be followed:
 - Should the Executive Director be unavailable the report should be made to the Chair of the Board of Trustees or the nominated Child Protection lead Trustee on the Board of Trustees
 - Should the Executive Director or a Trustee be involved in the incident, the Chair of the Board of Trustees or the nominated Child Protection lead Trustee on the Board of Trustees
 - If the safeguarding incident is witnessed when the employee, volunteer, or Trustee is in a remote location with no means of communication available, they should make the report as soon as they are next able to have open lines of communication. Note that every possible effort should be made to find a mode of communication as soon as possible.

Compliance with Cerebral Palsy Africa’s CPP

If an employee, volunteer or Trustee is found not to comply with elements of the policy, including reporting of cases witnessed, reporting time frames, respecting reporting lines, supporting the roll out and implementation of the CPP, etc. disciplinary action may be taken.

If an employee, volunteer or Trustee is found to be non-compliant with the code of conduct regarding employee behaviour, depending on the nature of the accusation and the form of breach, the case may have to be formally investigated, see section 9. Investigation, below, for fuller details.

The Executive Director in consultation with the Board of Trustees, will decide on the appropriate action to be taken in all cases. If the Executive Director is accused of inappropriate behaviour, the Chair of the Board of Trustees will decide on appropriate action. When and where a full investigation identifies child abuse or exploitation the case will be reported to the appropriate authorities for legal action.

Investigation

- All employees, volunteers, Trustees, collaborators or partner organisation representatives must be aware that any allegation of the abuse or exploitation of children or vulnerable adults made against them may be investigated, in accordance with this Child Protection policy.
- If a credible allegation of a violation of the policies, principles or practice of child protection is made concerning a named individual against any employee, volunteer, trustee, collaborator or

partner organisation representative, they may be suspended from all activity/association with Cerebral Palsy Africa pending the outcome of an independent investigation.

- The decision to suspend pending investigation is not subject to challenge. When investigating and determining the concerns or complaints, the process will always be fair and any adverse determination will be open to challenge through an appeals process

Investigation will take place in one of two ways:

- 1) By statutory authorities for criminal investigation and prosecution under the law of the country in which they work (this also applies to any representative or employee of any partner agency with whom Cerebral Palsy Africa has agreed child protection protocols); and/or
- 2) By a Cerebral Palsy Africa appointed independent investigation team of qualified child protection consultants trained in carrying out sensitive investigations of this nature.

- In accordance with this Child Protection Policy, results of investigation into conduct of an employee may lead to disciplinary procedures being taken against the employee,¹¹ and may result in dismissal.
- Where the individual under investigation is a volunteer, Trustee, or representative of a partner organisation a committee of at least three members will be formed to investigate the complaint and make decisions about sanctions or dismissal. This committee will normally include the Executive Director and two Trustees, excepting where a complaint has been made against the Executive Director in which case the committee will be comprised entirely of Trustees.

Management and monitoring of compliance with the Safeguarding Policy

The following is the process for the management and monitoring of compliance with the child protection policy and procedures.

- The Executive Director is the officially designated child protection focal point for the organisation, who will take responsibility to ensure that all members of the organisation understand their responsibilities with relation to Safeguarding and ensure adherence to the policy at all times.
- Trustees are responsible for ensuring that the Executive Director is fulfilling her / his duty as child protection focal point and that Cerebral Palsy Africa's child protection policy is being correctly implemented and frequently reviewed.
- The Board of Cerebral Palsy Africa will endeavour to create a culture within the organisation and strong relations between employees, volunteers, collaborators and partner representatives that helps ensure the trust and confidence needed in order to be able to raise any concerns with regards to Safeguarding.
- The Board of Cerebral Palsy Africa will reflect the organisation's core principles and values, upholding a professional approach toward Safeguarding issues and demonstrating awareness of matters of abuse.
- Organisational Safeguarding Policy compliance checks will be carried out every 3 years.
- The Executive Director will have final responsibility for ensuring that all employees, volunteers, Trustees, collaborators and partner representatives have had a briefing on the content of the child protection policy or at least received the leaflet version.
- An annual review of training and policy procedures will be administered, ensuring an up-to-date awareness of child protection issues within the organisation.

Cerebral Palsy Africa's HR Commitments to Child Protection

Personnel Recruitment Procedures

The following standardised procedures apply to the recruitment of all employees, contractors, Trustees, officers, interns and volunteers, whether paid or unpaid, full time or part time, temporary or long term, having direct or indirect contact with children. All employees and representative shall fulfil the following steps:

Advertisements for vacancies will clearly state that a Safeguarding policy, including screening procedures, is in place.

Those carrying out interviews will review guidance on identifying child concerns, including for example, the need to be attentive to anything suspicious in employment history, including career gaps, and asking child protection questions.

References will be sought to clarify any areas of concern, as follows:

- Minimum of one character references for paid employees and Trustees
 - Minimum of one character reference for volunteers
 - References must be from individuals who have known the applicant more than two years, and cannot include family members.
 - Where the individual will be filling a role where they will have direct contact with children as part of their responsibilities, at least one reference should be able to comment on or have seen the way the applicant interacts with children.
- A basic, standard or enhanced disclosure, depending on the level of contact with children and duration of time they will be working with Cerebral Palsy Africa, will be requested from all employees, and Trustees, through the criminal records bureau (now part of the Disclosure and Barring Service), where the geographical jurisdiction of the CRB applies.
 - Employees, volunteers, and Trustees are expected to read the organisation's Safeguarding Policy, and sign the Declaration of Acceptance within 1 week of their formal appointment. One copy of the Declaration is to be kept in Cerebral Palsy Africa's confidential personnel files and one copy is to be kept by the employee, volunteer or Trustee for their own records.
 - Employees, volunteers and Trustees will complete and sign a personal declaration statement outlining any criminal convictions, including those considered 'spent'

Capacity Building and Awareness raising on CPP

Cerebral Palsy Africa is responsible for ensuring the following mandatory capacity building efforts and awareness raising activities are carried out, as outlined below, depending on the type of working relationship the individual has with the organisation and the roles and responsibilities they have with regards to children. Minimum capacity building and awareness raising initiatives are as follows:

Initial briefing – 30 mins

Delivered by direct line manager / supervisor

Description: Brief verbal outline on the content of the Safeguarding Policy, Code of Conduct, with an opportunity for questions and answers with regards to expected behaviours

- All employees, volunteers, and Trustees,
- Director or representative of all partner agencies,
- All collaborators

Induction training –

Delivered by child protection focal point

Description: Include definition of child protection, discussion on guidelines on contact with children, how to ensure compliance with Code of Conduct, ensure suitable behaviours towards children, how to identify abuse among children (especially signs and symptoms of abuse demonstrated by disabled children) and guidance on the reporting mechanisms relevant to location of work

- All employees, volunteers, and Trustees on contracts lasting longer than 6 months or when deemed appropriate.

Ensuring Safeguarding in Communications about Children

Cerebral Palsy Africa will ensure that all information gathered for the purpose of communicating about the work of Cerebral Palsy Africa and its partners is collected and used in ways that do not cause harm, create risks or loss of dignity for the children with whom we work.

All employees, volunteers and trustees will adhere to these practices as a fundamental way of ensuring the dignity and respect of the children and vulnerable adults with whom we work, but also to ensure their full protection.

With regards to safeguarding in our communications material, the key principles to note are as follows:

- Children and vulnerable adults will be represented as human beings in a way which respects their identity and dignity.
- Wherever written material or images of children or vulnerable adults are used they will ensure the best interests of the child or vulnerable adults are upheld, in other words that the use of the text or images promotes, or is neutral towards, the child or and vulnerable adult's well-being.
- Ensure, when collecting images of children or vulnerable adults e.g. photographs, videos, that they are respectful, that the children or vulnerable adults are adequately clothed and that sexually suggestive poses are avoided.
- Ensure that any image or recorded case history of a child or and vulnerable adult does not place him/her at risk or render him/her vulnerable to any form of abuse. In particular, if a child or vulnerable adult has survived violence or abuse, and their story is being used in communication material, their identity should be disguised. It is vital that their real name and other information that could lead to a child being identified or tracked must not be used.
- All information should be stored confidentially and processed in compliance with Cerebral Palsy Africa's Data Protection Policy and procedures.

Application of Cerebral Palsy Africa's CPP with partners

Cerebral Palsy Africa expects all their partners to ensure the wellbeing of children and vulnerable adults by having in place policies and procedures that prevent and respond to cases of exploitation, abuse, violence or neglect of children or vulnerable adults. Cerebral Palsy Africa engages in a range of forms of partnership; the three main categories of partnership are as follows:

- **Funding partners** are the institutions, organisations, societies, trusts and bodies from whom Cerebral Palsy Africa receives funds.
- **Advocacy partners** are institutions, organisations, societies, trusts and bodies with whom Cerebral Palsy Africa collaborates on advocacy initiatives, in lobbying and on campaigns to influence and ensure the rights of disabled children and vulnerable adults
- **Implementing partners** are African organisations and agencies who receive funding channelled through Cerebral Palsy Africa to implement programmes.

All implementing partners will:

- Have policies and procedures in line with key global guidance documents on the subject, namely:
 - UN Convention on the Rights of the Child (UNCRC)
 - UN Convention to Eliminate All forms of Discrimination Against Women (CEDAW)
 - UN Convention on the Rights of Persons with Disabilities (UNCRPD)
 - UN Secretary General's Bulletin of 2003 'Special Measures for Protection From Sexual Exploitation and Abuse'
- Sign partnership or project agreements with Cerebral Palsy Africa making reference to the adherence to the organisation's own safeguarding policy, or where this is not possible, agreeing

to adhere to Cerebral Palsy Africa's safeguarding policy pending development of their own policy.

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- Adhere to Cerebral Palsy Africa's Communications Guidelines when gathering any information to be used by Cerebral Palsy Africa.

The main variable in how to apply the policy is whether a partner organisation has their own pre-existing child protection policy or not:

Implementing Partners with Existing CPP and Procedures

- Partner agencies with their own Safeguarding Policy will be expected to adhere to their own policies and procedures. With the following specific actions to be taken:
- Present a copy of the Safeguarding Policy during initial partnership discussions
- Sign partnership agreement including clause with regards to ensuring protection of all children and vulnerable adults
- Quarterly reporting to Cerebral Palsy Africa must include:
 - Reports on any safeguarding incidents identified during the quarter, which will outline response and actions taken
 - Updates on progress with regards to roll-out, training and implementation of existing safeguarding policy

Implementing Partners without Existing CPP and Procedures

Partners without existing safeguarding policies of their own, or with Safeguarding Policies considered insufficient to comply with international guidance on prevention of exploitation and abuse, will be expected to adhere to the different elements of the Safeguarding Policy as follows:

Partnership agreements

- Cerebral Palsy Africa will, when considering new applications for partnership, investigate the agency's commitment to issues of safeguarding. We will not establish a new partnership with any agency who cannot demonstrate a commitment to upholding best practice in all aspects of safeguarding, as outlined herein, either through the presence of, and compliance with, an existing safeguarding policy or by making a firm commitment to the development of an organisational Safeguarding Policy during the first year of partnership.
- Partnership agreements must clearly outline agreed procedures for development of, and compliance to their Safeguarding Policy, as well as procedures for reporting and investigating concerns involving issues of child or and vulnerable adult abuse and exploitation.
- Any role Cerebral Palsy Africa is to play in the development of the partner's Safeguarding Policy, as well as reporting lines, should be included in either the partnership agreements or project proposals developed between the two partners.

Expectations of all Implementing Partners

Code of Conduct

All partner organisation employees, volunteers and Trustees must adhere fully to the expected behaviours as outlined in the Code of Conduct section of the Cerebral Palsy Africa Safeguarding Policy.

Procedures for responding to suspected or identified child protection cases

Cases to be reported:

- 1) Where the suspected child or vulnerable adult abuse and/or violation is the direct action of partner organisation's employee, volunteer, or Trustee.
- 2) Where the suspected child or vulnerable adult abuse and/or violation is witnessed by a partner organisation employee, volunteer, trustee or collaborator and is being perpetrated by an employee, volunteer or Trustee

Reporting mechanism:

- Where partner organisations have a pre-existing Whistleblowing Policy, reporting mechanisms must be in line with these.
- Where partner organisations do not have a Whistleblowing Policy the following actions are expected:
 - Employees, volunteers and Trustees of the partner organisation should report any cases witnessed, as described above, to the individual designated as safeguarding focal point by the director of the partner organisation. Reporting lines should be organisation specific and in consultation between the Director of the partner organisation and their Child Protection focal point.
 - Any case identified must be reported as soon as possible and at least within 24 hours of identifying the possible child protection concern, wherever and whenever communications allow
 - Note: Cerebral Palsy Africa is able to provide guidance on establishing reporting mechanisms suitable to context
- Every workplace will display a summary of safeguarding reporting mechanisms showing key contact names and numbers for individuals to whom any suspected cases should be reported.

Non-compliance with policy

- Partner organisations are expected to have their own disciplinary procedures in place in line with organisational policy and national legislation. Where there are no disciplinary procedures in place prior to partnership, Cerebral Palsy Africa will do what it can to support the organisation to develop such procedures.
- In the event that an incident of abuse and/or violation of safeguarding protocols is found to have taken place by a employee or representative of a partner agency, without suitable response, or action on behalf of the partner organisation, the Board of Trustees of Cerebral Palsy Africa reserves the right to immediately cancel partnership agreements and collaboration, and withdraw any support financial or otherwise, from that organisation.

Investigation:

- Partner organisations are expected to comply with the investigation procedures outlined in this policy unless they have pre-established investigation procedures of their own.
- In addition, where partner organisations are applying Cerebral Palsy Africa's investigation procedures, whether employees shall or shall not continue to receive full pay during period of suspension shall be dependent on the human resource policies they have in place with regards to suspected employee misconduct.

Management and monitoring of compliance with Safeguarding Policy:

- Quarterly or grant reports to Cerebral Palsy Africa are to include updates on any safeguarding incidents identified during the quarter, outlining response and actions taken.
- Quarterly or grant reports to Cerebral Palsy Africa are to include updates on progress with regards to the development of a safeguarding policy and any related actions regarding, roll-out, training, awareness raising, and implementation of safeguarding policy.
- Internal monitoring systems are expected to be put in place by the partner to ensure employee, volunteer and organisational adherence to the safeguarding policy developed. Cerebral Palsy Africa will do what it can to support partners to develop these monitoring procedures.

Personnel recruitment

Systems and procedures are to be put in place for screening, and reference checking of new employees and employees. Organisations are expected to have in place human resources policies and procedures that ensure employee awareness of the organisation's Safeguarding Policy and monitor its application.

Capacity Building and Awareness Raising on Safeguarding

Cerebral Palsy Africa will provide awareness raising for partner organisations, tailored to specific organisational needs. This support offered to partners is dependent on their organisational needs and funding available, will consist of one or more of the following, or other suitable support alternatives:

- Long-distance virtual support and guidance in developing and drafting a safeguarding policy
- Information on reputable organisations who can provide quality technical support in running training and awareness raising for partner employees, volunteers and trustees..

Declaration of Acceptance

I _____ hereby confirm I have read and understood Cerebral Palsy Africa's Safeguarding Policy. I have had the opportunity to ask questions and clarifications with regards to the content. I agree to adhere to all policies, procedures and principles outlined therein.

Signed _____
(Signature)

Dated _____
(Day/Month/Year)

References

This policy builds upon guidance found in and draws from the following main sources:

- Handicap International and Save the Children (2011) Out from the Shadows: sexual violence against disabled children
- International Rescue Committee and UNICEF (2012) Caring for Child Survivors of Sexual Abuse: Guidelines for health and psychosocial service providers in humanitarian settings
- Keeping Children Safe Coalition (2006) Keeping Children Safe: Standards for Child Protection
- Save the Children (2007) Save the Children and Child Protection
- Save the Children UK (2008) Child Safeguarding Policy
- Save the Children International (2003) Child Protection Policy

Appendix 1: Definitions

Abuse

A deliberate act of ill treatment that can harm or is likely to cause harm to a child's safety, well-being, dignity and development. Abuse includes all forms of physical, sexual, psychological or emotional ill treatment.¹⁴

Examples include:

- **Physical Abuse** involves the use of violent physical force so as to cause actual or likely physical injury or suffering, (e.g. hitting, shaking, burning, female genital mutilation, torture.)
- **Emotional or psychological abuse or bullying** includes humiliating and degrading treatment such as bad name-calling, constant criticism, belittling, persistent shaming, solitary confinement and isolation.
- **Sexual Abuse** includes all forms of sexual violence including incest, early and forced marriage, rape, involvement in pornography, and sexual slavery. Child sexual abuse may also include indecent touching or exposure, using sexually explicit language towards a child and showing children pornographic material.

Child Protection

Measures and structures to prevent and respond to abuse, neglect, exploitation and violence and bullying affecting children and vulnerable adults¹⁵

Safeguarding: Child safeguarding is where agencies working with children, young people and their families take all reasonable measures to ensure that the risks of harm to children's welfare are minimised. Where there are concerns about children and young people's well-being or safety, all agencies should take appropriate action to address these concerns, working to agreed local policies, procedures and humanitarian standards in full partnership with other local agencies.¹⁶

Child and vulnerable adults safeguarding policy: A written document that states an organisation's commitment to keep safe the children it works with, or comes into contact with. A policy explains how an organisation approaches child safeguarding, their attitudes and basic principles.¹⁷

Exploitation

Child or vulnerable adult exploitation refers to the use of children or vulnerable adults for someone else's advantage, gratification or profit, often resulting in unjust, cruel and harmful treatment of the child or vulnerable adult. These activities are to the detriment of the child or vulnerable adult's physical or mental health, education, and moral or social-emotional development. It covers situations of manipulation, misuse, abuse, victimisation, oppression or ill treatment.

Economic exploitation: The use of the child or vulnerable adult in work or other activities for the benefit of others. This includes, but is not limited to, child labour. Economic exploitation implies the idea of a certain gain or profit through the production, distribution and consumption of goods and services.

Neglect

Deliberately, or through carelessness or negligence, failing to provide for, or secure for a child, their rights to safety and development. Neglect is sometimes called the 'passive' form of abuse in that it relates to the failure to carry out some key aspect of the care and protection of children and vulnerable adults which results in significant impairment of the child's or vulnerable adult's health or development including a failure to thrive emotionally and socially. Treatment will only constitute neglect if it results in a risk of significant harm to the child or and vulnerable adult. Whilst neglect may be hard to prove it is of particular importance in the case of disabled children who are often discriminated against, excluded or ignored and suffer greater neglect than their siblings and peers. Cases where families or caregivers are deliberately ignoring known support needs of disabled children should be treated as child protection concerns.

Examples:

Neglect includes abandonment, the failure to properly supervise and protect children from harm as much as is feasible, the deliberate failure to carry out important aspects of care which results or is likely to result in harm to the child, the deliberate failure to provide medical care or carelessly exposing a child to harm for example can amount to neglect.

Sexual exploitation

The abuse of a position of vulnerability, differential power, or trust for sexual purposes; this includes profiting monetarily, socially or politically from the exploitation of another, as well as personal sexual gratification. Examples include: child prostitution, trafficking of children for sexual abuse and exploitation, child pornography, and sexual slavery.

Violence

There are a number of definitions of violence depending on the focus and approach taken to it. The UN Study on Violence Against Children (2006) definition of violence draws on Article 19 of the Convention on the Rights of the Child: "all forms of physical or mental violence, injury and abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse" as well as the definition used by the World Health Organization (WHO) in the World Report on Violence and Health (2002): "the intentional use of physical force or power, threatened or actual, against a child, by an individual or group, that either results in or has a high likelihood of resulting in actual or potential harm to the child's health, survival, development or dignity".

Violence can be committed by individuals or by the state as well as groups and organisations through their members and their policies. It results not only in fear of or actual injury, but in fundamental interference with personal freedom.

Harmful traditional practices

These are customs that can present certain physical or emotional risks to those forced to engage in the tradition. Typically they are carried out due to a belief that they promote the emotional, spiritual, or physical wellbeing of the individual involved. These are typically cultural or religious traditions, the proponents of which feel they should be respected, and are at times permitted under national laws. Even when banned by law, there may be few, if any, prosecutions due to limited denunciations, lack of reporting or negative community reactions to campaigns against these behaviours. Whilst Cerebral Palsy Africa aims to respect cultural differences and beliefs our primary commitment is to the protection of children. We will not work with organisations which condone or engage in such practices and where appropriate, will work to prevent and eliminate such practices at the community and individual levels. In this respect, we are guided by international legal standards in these areas. The particular practices of concern include, but are not limited to, early marriage, female genital mutilation, ritualistic abuse (accusations of sorcery or possession) and some initiation rites.

Early Marriage

The term “early marriage” is used to refer to both formal marriages and informal unions in which a girl or boy lives with a partner, as if married, before the age of 18.¹⁸ For UNFPA (2006) early marriage, also known as child marriage, is defined as “any marriage carried out below the age of 18 years, before the girl is physically, physiologically, and psychologically ready to shoulder the responsibilities of marriage and childbearing.” Child marriage, involves either one or both spouses being children and may take place with or without formal registration, and under civil, religious or customary laws. The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) is the most comprehensive international bill of rights for women and states that any betrothal or marriage of a child should not have any legal status.

Female genital mutilation

Female genital mutilation (FGM) includes procedures that intentionally alter or cause injury to the female genital organs for non-medical reasons. The procedure has no health benefits for girls and women. Procedures can cause severe bleeding and problems urinating, and later cysts, infections, infertility as well as complications in childbirth leading to increased risk of newborn deaths.¹⁹

Ritualistic abuse

Ritual abuse is defined as a combination of severe emotional, physical, sexual and spiritual abuse used with symbols, ceremonies and/or group activities that have a religious, supernatural or magical meaning. The abusers are usually a group. Torture, drugs and pornography can play a part in the abuse.²⁰ In some African cultures, disabled children are associated with witchcraft²¹ and considered to be bad omens for the families they are born into.²² Ritual abuse can be carried out to attempt to rid them or their families of the evil spirits that are thought to be affecting them.

Initiation rites or rites of passage

A ritual or ceremony signifying an event in a person's life indicative of a transition from one stage to another, as from adolescence to adulthood. A ceremony performed in some cultures at times when an individual changes his status, as at puberty and marriage. In some cultures these rites involve physical and sexual tests of adulthood that can cause physical and emotional injury.

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- 18 UNICEF 2005; Forum on Marriage and the rights of women and girls 2001 cited in Bayisenge, Jeannette, (date unknown) Early Marriage as a Barrier to Girls' Education: A developmental challenge in Africa, National University of Rwanda
- 19 World Health Organisation website at <http://www.who.int/mediacentre/factsheets/fs241/en/>, accessed 23 July 2013
- 20 Abuse Survivors website at <http://www.abuse-survivors.org.uk/what-is-abuse/ritual-abuse> , accessed 23 July 2013
- 21 Evidence of this is cited in Handicap International and Save the Children (2011) Out from the Shadows: sexual violence against disabled children and Inclusion International (2006) Hear Our Voices: A Global Report: People with an Intellectual Disability and their Families Speak Out on Poverty and Exclusion
- 22 Handicap International give examples in Liberia (<http://www.handicapinternational.be/en/liberia-0>) and Sierra Leone (<http://www.handicap-international.fr/en/discover-hi/around-the-world0/more-than-60-programmes-in-the/programs/sierra-leone-1/actus/rescuing-babies-from-deformities-and-superstitions/?cHash=f0c1435ac0>) where the causes of disability are poorly understood and distorted by traditional beliefs, particularly witchcraft, which plays an important role. Save the Children has released a report on the phenomenon in the DRC (Save the Children, 2006, The Invention of Child Witches in the Democratic Republic of Congo).