



# **M'Lop Tapang (MT) Child Protection Policy 2017**

## **Purpose**

As a Child's Rights organization, M'Lop Tapang has a responsibility to ensure all children are protected from forms of abuse, exploitation or neglect. This policy conforms to the general principles of UN Convention of the Rights of the Child as follows:

**Best Interests of the Child:** All decisions and alternatives should be carefully considered to ensure that the best interests of the child are served, e.g. that the child receives the maximum benefit possible from services provided and that the positive impacts of any course of action outweigh any negative impacts.

**Non-Discrimination:** All children are protected and assisted regardless of gender, nationality, religious or political beliefs, family background or economic status, physical or mental health or criminal background. All children are entitled to enjoy equal rights and to receive equal benefit, fair treatment and the respect and value due them as human beings.

**Participation and Self-Determination:** All children (and their legal guardians where appropriate) should be given the opportunity to express their ideas and views on matters affecting them, and to have them considered carefully (according to their maturity) in the decision-making process. All clients have the right to self-determination and the right to refuse services.

M'Lop Tapang aims to provide safe and child friendly environments where children can develop and grow in a healthy and positive way.

The guidelines following protect both the adult from false accusation against them and the child from any form of abuse; physical, emotional, sexual or neglect.

## **1. Scope and Responsibility for Implementation**

1.1. This policy and its required standards seek to reduce risk to all children involved in or assisted by M'Lop Tapang staff and programs. It shall therefore apply to:

- All beneficiaries under the age of 25;
- M'Lop Tapang staff, independent contractors, volunteers/ interns and board members who assist or have access to children.

1.2. M'Lop Tapang is responsible to ensure that the Internal Child Protection Policy is explained and read by all staff and that all staff, acknowledge their receipt and understanding of the policy.

1.3. M'Lop Tapang Management Team is responsible to revise and update the Internal Child Protection Policy as needed, in order to ensure it remains relevant and effective, and to advise and/or assist other departments and staff in carrying out their respective responsibilities as outlined in 2.2 – 2.4 below.

## **2. Personnel Recruitment, Screening and Orientation**

2.1. All prospective employees, board of director candidates, independent contractors and volunteers/interns are to be informed of M'Lop Tapang's Internal Child Protection Policy at the start of any recruiting process.

2.2. Basic screening of applicants for positions of those likely to work with or have access to children (such as teachers, medical staff and social workers) will include a written application, personal interviews and at least two reference checks. During the interview process, applicants should be asked about previous work with children.

The same requirement for background checks, where possible and permissible by local law, also applies to existing M'Lop Tapang staff members, consultants, board members and volunteers/interns, as deemed necessary by the Director in consultation with the Management Team and the Ministry of Social Affairs.

2.3. M'Lop Tapang reserves the right not to hire or, to terminate an applicant if background checks reveal that the person is not suitable to work with children or for any reason might put children at risk.

2.4. Policies and behavioral standards are reviewed during new staff orientation, including procedures for reporting suspected abuse and any disciplinary / legal actions that could be taken as a result of an investigation. All new personnel shall acknowledge in writing their receipt and understanding of the policy, with signed copies of their acknowledgement kept in their personnel file.

### **3. Behavior Standards for M'Lop Tapang Personnel**

- 3.1. Behavior Standards are guidelines of appropriate and proper behavior for M'Lop Tapang staff when interacting with children. They are designed to protect children but are also intended to protect staff from false accusations of inappropriate behavior or abuse.
- 3.2. M'Lop Tapang personnel must be concerned about perception and appearance in their language, actions and relationships with children. This is especially true in male staff interactions with female children that are particularly susceptible to suspicion and accusation of sexual misconduct. Extra care should be given to protecting the reputation of both female children and M'Lop Tapang staff by ensuring that language and behavior at all times reflect appropriate male-female relationships, which are respectful of and in line with Cambodian culture and customs.
- 3.3. As human rights advocates, M'Lop Tapang personnel are also expected to respect the rights of children in their own homes and communities, upholding the rights and principles contained in the UNCRC at all times whether on or off duty.
- 3.4. M'Lop Tapang personnel must not stay alone overnight with one or more children or minors, whether in the staff member's house, project premises or elsewhere unless a parent or relative is present at all times. When possible permission should be sought from the child's parent or legal guardian and / or the Department Of Social Affairs Provincial Coordinator informed.
- 3.5. M'Lop Tapang personnel should not hire minors as workers unless the child's age and working conditions meet the criteria specified in the law, limiting workdays and hours and providing access to education. Staff not meeting these criteria may be in violation of child labour laws and are subject to investigation for child abuse and/or exploitation.
- 3.6. M'Lop Tapang personnel must not fondle, hold, kiss, hug or touch minors in an inappropriate or culturally insensitive way. Under no circumstance should any physical contact have the appearance of being sexual in any way. To avoid misunderstanding, it is recommended that a child be asked for permission before any close physical contact that may be necessary during the course of work, such as during sports, dance or circus classes.
- 3.7. M'Lop Tapang personnel must not hit, slap, pull, kick, or use inappropriate physical force of any kind on a minor.

- 3.8. M'Lop Tapang personnel should be aware that they might work with children who may, because of the circumstances and neglect they have experienced, use a relationship with an adult to obtain 'special attention'. The adult is always considered responsible for his or her response even if a child behaves inappropriately. Staff should be alert for such behavior and avoid being placed in a compromising or vulnerable position and report any concerns to their manager.
- 3.9. Where possible and practical, the 'two-adult' rule, wherein two or more adults supervise all activities where minors or children are involved and are present at all times, should be followed. In cases where individual counseling is needed, the counselor must inform another adult/ supervisor in advance that this will happen, and if possible, do in a public place or room where others have clear vision of the child.
- If this is not possible, M'Lop Tapang staff members are encouraged to look for alternatives such as accompaniment by relatives or community members during visits to children.
- 3.10. Every child is to be respected and listened to. Their voiced views and opinions are vital for their healthy development. Every staff must show they value the child's individual choice. Participation and expression of views and feelings must be encouraged at all times, including decision making on issues that effect their futures. Their legal guardian will be included in all decisions concerning that child's future.
- 3.11. No child will be forced into a decision he / she is not comfortable with, unless his / her refusal may result in harm, abuse or place the child in an unsafe situation.
- 3.12. Every child must be empowered by being given adequate knowledge of his / her own rights.
- 3.13. Staff must ensure they make every effort to ensure children receiving services from MT feel safe and protected at all times and that they know how to report abuse or other concerns and who to report to.
- 3.14. All staff must act as a positive role model for the children they work with and for the adults who see the way staff work with children. They must treat each child with kindness, respect, dignity and sensitivity at all times.
- 3.15. Staff must never behave in a way that is emotionally abusive (e.g. shouting, humiliating or shaming a child).

- 3.16. Staff must never neglect children in their care- that is failing to meet their needs through inadequate care.
- 3.17. Children with disabilities or other special needs are particularly vulnerable to abuse and neglect due to their difficulty in communicating and expressing themselves. Specialist staff trained on child protection and working with disabilities need to be involved in all cases of suspected abuse within this group of children.
- 3.18. Staff must never lend or give their personal money or presents to Children as this is inappropriate, unprofessional and has negative impact on the child and other children/ caretakers.
- 3.19. Inappropriate conduct toward children, including failure to follow the behavior standards stated above is grounds for discipline, up to and including dismissal from employment, volunteer/internship or board membership. This will be treated as misconduct

#### 4. Reporting and Investigating Abuse or Suspected Abuse

- 4.1. Child Abuse in all its forms, including physical, emotional, sexual abuse and neglect that occurs within an organization, is a serious offence that threatens the well-being and reputation of the child, the accused staff and of the organization itself. Child abusers are not likely to remain in an environment where workers are trained to identify and report suspicious behavior. For these reasons, **all personnel** are responsible for reporting suspected child abuse or exploitation of any kind.
- 4.2. Any person who has knowledge of a potential child protection issue involving M'Lop Tapang personnel/ volunteer or anyone at MT should report the incident by using the MT Child Protection reporting forms as soon as possible. Always report to our Child Safety Officers (Mrs. Net Sarem or Mr. Chheang Rithya) for guidance and sharing info. They will assist in completing the form if you cannot do alone. Failure to report suspected child abuse or misconduct may result in disciplinary action. The Director will decide who needs to be informed about this situation. This will be on a strict 'Need to know' basis in the best interests of the child in order to protect their child and their right to confidentiality. CP reporting forms are available from all team leaders and from our HR team. Each staff will receive annual refresh training on how to use these forms. Your team leader can also provide assistance if needed.
- 4.3. The Director/ Child Safety Officers will initiate the internal investigation, which respects the privacy and rights of the child as a priority, within 48 hours after receiving the report. The investigation will be conducted by a committee selected for this purpose by the Director in consultation with the Management Team.
- 4.4. The investigation must be treated with care and concern, particularly as a child may fear retribution and punishment while a staff member accused of child abuse will be concerned for his or her privacy and legal rights.
- 4.5. Generally, an employee accused of abuse or misconduct with a child should be temporarily suspended during the course of the investigation. The employee should be informed that charges have been made against him / her and given an opportunity to respond. They should also be informed that M'Lop Tapang has an obligation to initiate an internal investigation. The employee is encouraged to participate in the investigation by providing information and the names of witnesses to be interviewed. Efforts will be made to provide assistance to an employee accused of misconduct with children, including counseling.

4.6. The rights and welfare of the child is of prime importance to M'Lop Tapang. The investigation will make every effort to ensure that his or her privacy and safety are protected and that steps are taken to make the investigation child-friendly and minimize any potential trauma during the process.

4.7. It is important that staff understood that children themselves, in certain situations, **use sexually harmful behavior** amongst each other. This is very different from the normal, healthy activity of non-harmful play between young children who are learning about their bodies.

4.8. **Sexually harmful behavior is a serious child protection issue and must be treated as serious risk to other children** even if the perpetrator is a child / beneficiary themselves.

Every case or concern needs to be reported to MT Child Protection team and MT management team in order for a thorough individual, family and risk assessment to be carried out on the child to identify their needs and potential risks to others.

4.9. Young people that use sexually harmful behavior are in **need of specialist services to help them to reduce the harm they cause on themselves and others.**

Many children carry out this behavior because they have been exposed to activities that are inappropriate for children to experience. (Such as seeing indecent images of children and/or adult pornographic materials or experiencing a high level of neglect/ violence in their lives)

4.10. Any employee or beneficiary suspected on abusing a child must still be treated with respect and no discrimination to prevent being labeled or stigmatized. Each case will be treated with confidentiality and only those professionals that need to know will be informed.

## **5. Responding to Internal Investigation Findings**

- 5.1. At the conclusion of the investigation, the employee, the child and/or his or her legal guardians as appropriate should be informed of the results of the investigation and what corrective action, if any, will be taken.
- 5.2. In the event an allegation is proven to be untrue, or even fabricated, appropriate steps will be taken for follow up with the person who has been accused, the child, and the person who reported the incident.
- 5.3. If abuse is proven by investigation, every effort will be made to assist the child in coping with any physical or emotional trauma he or she may be experiencing. This may include medical treatment, psychological counseling or any other form of assistance deemed necessary and appropriate.
- 5.4. If the investigation includes that child abuse or misconduct has occurred or is suspected to have occurred which is NOT subject to criminal prosecution, staff will be subject to disciplinary action within M'Lop Tapang, up to and including dismissal, at the discretion of the Disciplinary Committee. Dismissal will be recommended in majority, if not all, cases.
- 5.5. If the investigation concludes that abuse or misconduct has occurred or is strongly suspected to have occurred which IS subject to criminal prosecution according to national laws, all findings will be reported to the relevant national police authorities and full cooperation afforded them during an external investigation. If the accused is an expatriate, the relevant law enforcement authorities will also be informed with due regard given to the potential for extraterritorial proceedings by the expatriate's country of origin.
- 5.6. In the event an employee is discharged for proven or suspected child abuse or misconduct, M'Lop Tapang may disclose such information if requested by police, a prospective employer, etc. when such requests may assist in a legal investigation or the prevention of future abuse. Such disclosures will be made in accordance with applicable law and/or customs.
- 5.7. A plan for dealing with media inquiries that includes a designated spokesperson will be developed by the Director in consultation with the General Manager and/or Management Team.

**6. Visitors to the main center**

- 6.1. All visitors must sign in at reception and receive a MT pass.
- 6.2. No visitor should be allowed in without informing MT director, manager or senior staff member, unless prior authority has been granted.
- 6.3. All visitors must be closely monitored by MT staff or volunteers.
- 6.4. No visitor can be left alone, with or without children when in MT centers or in the communities we work in.
- 6.5. All visitors must be signed out and return MT passes.
- 6.6. All media representatives and visitors to field sites must abide by media and visitor guidelines in the MT Media & Visitor Policy 2017.

*Please note visitors do not include beneficiaries (such as family members) or suppliers/ landlords/ partners that have a signed contract with MT.*

I \_\_\_\_\_ have read the complete M'Lop Tapang Internal Child Protection Policy. I fully understand and agree to follow all procedures contained within.

If at any time I fail to follow the guidelines set forth by the M'Lop Tapang Internal Child Protection Policy, I understand my position may be terminated by the Director.

\_\_\_\_\_  
Signature

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Date