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## The Child Safeguarding Policy of CBM

November 2014

### Acknowledgements:

This policy has been developed from:

- The CBM Child Protection Policy of 2003;
- The CBM Child Protection Guidelines of 2006;
- The Keeping Children Safe Standards and Policy 2011;
- The Australian Government (DFAT) Child Protection Policy 2013;
- The Kindernothilfe Child Protection Policy 2014.

# CBM Child Safeguarding Policy 2014



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## Introduction

CBM is an international Christian development organization, committed to improving the quality of life of people with disabilities in the poorest communities of the world. CBM envisages an inclusive world in which all persons enjoy their human rights and achieve their full potential. CBM is listed in the register of associations as CBM *Christoffel-Blindenmission Christian Blind Mission e.V.* Registration court: Amtsgericht Bensheim (municipal court); Registration number: VR20949 VAT-No.: DE813651075 EORI-No.: DE2355167. CBM is governed by a Board of Directors and consists of an International Office in Bensheim, Germany, Regional Offices and Country Coordination Offices and a Liaison Office in Brussels, Belgium.

In the majority of cases, CBM does not implement projects on its own, but works in partnership with local organizations in different parts of the world.

Children represent a large number among our target group. We note with concern that children with disabilities are at least twice as likely to be abused, as children without disabilities<sup>1</sup>. CBM is committed to keeping children safe globally from abuse through awareness raising, prevention, responding and reporting and the implementation of CBM's Child Safeguarding Policy. CBM believes that every child has the right to protection, regardless of gender, ethnicity, religion, sexual orientation and whether or not they have a disability.

CBM's Child Safeguarding Policy is based on the UN Convention on the Rights of the Child, 1989 (and its optional protocols); the national child protection legislation of Germany<sup>2</sup> as well as that of the CBM program countries and the Keeping Children Safe Standards<sup>3</sup>.

This policy has been created because respecting the dignity of all children and keeping them safe is a foundational principle of CBM's work. For the purpose of this policy a child is anyone under the age of 18 years.

CBM is committed to ensuring a safe environment for children through investing the necessary resources needed to apply the procedures contained in this policy.

The four main objectives of the policy are to:

- Keep children safe

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<sup>1</sup> Sobsey, R. (1994). Violence and abuse in the lives of people with disabilities. Baltimore: Paul H. Brookes

<sup>2</sup> Please see Annex 6

<sup>3</sup> Please see Annex 7

## CBM Child Safeguarding Policy 2014

- Guard all people representing CBM from possible false allegations or from operating within an unclear framework
- Safeguard the reputation of CBM
- Prevent infiltration of the organisation by child abusers.

This policy is binding upon the staff of CBM eV and all its related offices.<sup>4</sup> It further is also binding for CBM eV visitors including CBM Board Members and Third Parties (being Member Association staff, donors, VIP's, consultants, visitors, volunteers and journalists) to CBM supported partners on CBM related business, hereinafter referred to as "CBM Representatives".

This policy is designed to provide guidance to all CBM Representatives globally so that they understand the importance of child safeguarding issues as well as undertake their legal, ethical and policy responsibilities within and outside working hours.

If necessary, this policy and its annexes<sup>5</sup> can be adapted by Regional and Country Offices to fit to the local legal and social environment, without diluting the principal content and aim of this policy. Any change has to be approved by the Executive Management Team. Any change must not violate the standards of this policy. The underlying principle of this policy is to always act in the best interest of the child.

CBM is committed to prevent and protect children from all forms of abuse namely physical, sexual, emotional abuse and neglect. This includes other forms of abuse such as bullying, corporal punishment, child grooming and exposing them to, or using them for pornography, witchcraft and ritualistic abuse, spiritual abuse and harmful traditional practices.<sup>6</sup>

CBM expects its partners to be committed to safeguarding children. To promote safeguarding children as the corporate and individual responsibility of everyone we encourage our personnel, partners and all others associated with CBM to participate actively in building and maintaining a child-safe environment.

CBM's partner organizations also work with adults with disabilities. CBM notes with concern that certain adults with disabilities are very vulnerable to abuse of all types. It is acknowledged that the legal issues around the abuse of children compared with that of adults are very different. CBM will however take pro-active steps to ensure that vulnerable adults are also protected from abuse. Associated guidelines will be developed as an addendum to this policy.

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<sup>4</sup> The term 'staff' applies here to both long and short term contracted staff of CBM

<sup>5</sup> Each change should be clearly highlighted

<sup>6</sup> For full definitions please refer to the Glossary in Annex 8

## **Working with Partners**

Child Safeguarding is an integral part of CBM's partnership concept and we expect our partners to either have or to develop within an agreed timeframe a Child Safeguarding Policy or have similar arrangements, which are in line with the UN Convention on the Rights of the Child.

CBM will support partners to develop or strengthen their Child Safeguarding Policy and procedures on a case by case basis.

If a serious incident occurs within a partner organization, CBM expects to be informed about this and about measures implemented<sup>7</sup> at the earliest possible point in time. CBM will offer advice or refer to local expertise if requested by the partner to do so. Should the partner not take appropriate action, or ignore the case, CBM reserves the right to withhold funds to the partner, as a last resort, until appropriate measures are taken<sup>8</sup>. Depending on national law CBM may be required to report an abuse to the relevant local authorities if the partner fails to act.

## **Prevention**

### **Introduction**

All CBM Representatives should be aware of the circumstances in which the risks of harm or stigma to children are increased and must mitigate these risks by:

- Undertaking a Risk Analysis prior to any activity involving children;
- Abiding by the CBM Code of Conduct;
- Abiding by the guiding principles for communication and fundraising as laid out in this policy.

### **Undertaking a Risk Analysis**

A Risk Analysis will be undertaken prior to any activity involving children or out of the ordinary visits where children are present, or research with children and measures undertaken to mitigate any risks<sup>9</sup>.

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<sup>7</sup> I.e. medical, psychological and legal measures taken in the interest of the concerned child (ren); investigation of the case, preventive measures further any measures taken by/with family and community, etc.

<sup>8</sup> I.e. medical, psychological and legal measures taken in the interest of the concerned child (ren); investigation of the case, preventive measures further any measures taken by/with family and community, etc.

<sup>9</sup> This Risk Analysis will be to be part of existing processes such as Partner Assessments, Program Planning, Proposal Review, Partner visits.

## **Child Safe Recruitment and Selection**

CBM commits risk to deter and detect applications from unsuitable people who may seek to gain access to children through the activities of CBM.

The following procedures will apply:

1. All CBM job advertisements state that CBM is a 'child-safe organisation' with the requirement for any applicant to provide CBM with an extract of a 'Certificate of Good Conduct' or equivalent, during the recruitment process. If this document is not available in the applicant's country of residence, CBM will ask candidates to sign a written self-declaration of good conduct;
2. CBM will ask for three written references from previous employers which also include questions related to child safeguarding;
3. Candidates will have their employment history checked including an investigation of any gaps between jobs;
4. Candidates will have their identity checked with original documents;
5. Candidates will be asked specific child safeguarding related questions during their interview;
6. All CBM staff will undergo mandatory training on safeguarding children

## **Code of Conduct**

All CBM Representatives<sup>10</sup> are required to understand their responsibility to keep children safe and abide by the following Code of Conduct.

This Code of Conduct is designed primarily to protect children; however it also serves to guard representatives from false accusations; and the name and reputation of CBM.

All CBM staff is responsible for encouraging and promoting the dissemination of this Code of Conduct. CBM staffs that are closely working with partners are also urged to encourage these partners to adhere to the standards set in the Code of Conduct and to join CBM staff in upholding them.

In line with the CBM Child Safeguarding Policy, the adherence to this Code of Conduct is mandatory for all CBM representatives.<sup>11</sup> Any violation of the Code of Conduct will result in disciplinary procedures which may include legal action where the severity warrants it.

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<sup>10</sup> The term "CBM Representative" refers to all CBM staff, people travelling under the direction of CBM, and persons holding a CBM consultant contract.

<sup>11</sup> The code of conduct is signed by all CBM staff as part of their employment contract. This revised version and any that follow supersede previous versions of the same herein.

### **Acceptable behavior and conduct:**

CBM representatives should:

- Be committed to creating a culture of openness and mutual accountability at work places. This culture will enable all child protection concerns to be raised and discussed and abusive behavior can and must be challenged;
- Contribute to an environment where children are listened to and respected as individuals and which is safe, positive and encouraging to them;
- Ensure the use of the 'Two Adult Rule'. This means, when interacting with children, ensure that another adult is present or within reach;
- Ensure physical contact is at all times appropriate and not an invasion of the child's privacy;
- Use positive, non-violent methods to manage children's behavior;
- Respond to all concerns, allegations or disclosures according to the reporting protocol<sup>12</sup>;
- Comply with any investigation (including interviews) and make available any information necessary for completion of the investigation.

### **Unacceptable behavior**

Within their work<sup>13</sup>, CBM representatives must not specifically:

- Hold, fondle, kiss, cuddle or touch children in an inappropriate and/ or culturally insensitive way;
- Engage in activities involving close body contact with children beyond the professional requirements;
- Act in ways that may be abusive or may place a child at risk of abuse;
- Make sexually suggestive comments or actions to a child, even as a joke;
- Engage in sexual activity or have a sexual relationship with a child, regardless of consent or local custom. Mistaken belief in the age of a child is not a defense.
- Marry a person below the age of 18, regardless of consent and local custom.

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<sup>12</sup> Please see the Reporting Format in Annex 3 and CBM Contacts in Annex 4

<sup>13</sup> During working hours and while on field trips 24/7.

## CBM Child Safeguarding Policy 2014

- Assist a child in tasks that he or she can do unaided (such as taking them to the toilet, bathing or changing clothes), unless help is requested, in which case the 'Two Adult Rule' applies;
- Hit or otherwise physically assault or physically abuse children. All disciplinary measures should not be violent or degrading;
- Act in ways intended to shame, humiliate, belittle or degrade children, or otherwise perpetrate any form of emotional abuse;
- Discriminate against or favor particular children to the exclusion of others;
- Develop relationships with children that could in any way be deemed exploitative or abusive;
- Spend time alone with a child, away from others, behind closed doors or in a secluded area (see 'Two Adult Rule' above);
- Take a child to their home or visit a child at their home where they may be alone with that child, or sleep in the same room, without another adult present;
- Sleep in the same bed as a child or allow a child to stay overnight at their home unsupervised, when not related to that child;
- Condone, or participate in behavior with children, which is illegal, unsafe or abusive, including being part of harmful traditional practices, spiritual or ritualistic abuse or substance abuse;
- Exploit children for their labor (e.g. domestic servants) or for sexual purposes (e.g. prostitution)<sup>14</sup> or trafficking of children; The definition of child domestic work (house help) does not include occasional babysitting, gardening, help during school holidays or out of school time, however the 'Two Adult Rule' should be applied;
- Take a child alone in a vehicle unless it's absolutely necessary and with parental and managerial consent.

### **Communications regarding Children**

For CBM it is imperative that guiding principles on communications are in place to ensure that people with ulterior motives cannot misuse photographs and related information beyond the agreed purpose and

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<sup>14</sup> The unawareness of a child's age does not count as a valid excuse.



consent. The best interests of each child are to be protected over any other consideration.

1. CBM is committed to ensure all interviews and images of children are undertaken with sensitivity in order to safeguard the child's right to dignity, identity, confidentiality and privacy. Where possible, children should be prepared for interviews prior to being interviewed. A parent or guardian must always be present during interviews.
2. Pictures of children should always be decent and respectful and it should be avoided that a family and / or a community is stigmatized and stereotyped. All children, both girls and boys should be clothed top and bottom. Consent to use information obtained in interviews and/or images of children who have been interviewed should be obtained from children themselves (if they are of an age, understanding and possess the maturity to do so) and from their parents and/or guardians.<sup>15</sup>
3. In all situations, CBM will carefully guard any information about all children who feature in CBM publications, ensuring that their personal data is used appropriately. This also applies when material is made available to third parties.
4. Pictures, materials and personal information regarding children will be held in a secure database. Access to these materials is restricted through a defined authority structure. Applicable Data protection laws are strictly followed.

## **Reporting and Incident Management**

CBM has reporting and incident management procedures for handling reports related to Child Abuse. The goal of these procedures is to enable an appropriate and swift investigation of any given case and to identify cases of abuse and maltreatment early on. All CBM partners and their staff should be informed of CBM's Child Safeguarding Reporting and Incident Management Procedures.<sup>16</sup> The welfare and safety of the child serve as the foundation for all the decisions made during the management of an incident or suspected case.

## **Confidentiality**

All reports and the information herein provided will be treated and managed with the strictest confidentiality to protect the identity of the child concerned, informer and accused appropriately, in accordance with

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<sup>15</sup> Please see the Consent Form in Annex 5

<sup>16</sup> Please see Annex 2 and Annex 3

the relevant German Legislation including the German Federal Data Protection Act (BDSG) of 2009.

## **Reporting**

A suspected case of child abuse can be reported to CBM through different channels<sup>17</sup> anonymously. People who receive such a report must refer this report immediately to the designated Child Safeguarding Person within a CBM office and the CBM International Office Child Safeguarding Manager<sup>18</sup>. All reports of suspected child abuse cases must be in a written format and made within 24 hours of disclosure or the concern being raised<sup>19</sup>.

## **Duties of the designated Child Safeguarding Focal Person**

In the event of a concern being raised, the designated Child Safeguarding Focal Person<sup>20</sup> of the respective CBM Office will convene a meeting of the Child Safeguarding Committee<sup>21</sup> within 24-48 hours of receiving a report on suspected child abuse. The designated Child Safeguarding Focal person will closely liaise with the CBM International Office Child Safeguarding Manager and provide the support and advice needed.

The Child Safeguarding Committee will make decisions based on the information provided which will include:

- a) Reporting to relevant local law enforcement agencies or any other external body if the matter is criminal in nature;
- b) Refer or connect support services to the child/ren in concern and their families;
- c) Appoint and delegate the investigation to an Investigating Team<sup>22</sup> if the matter is in breach of this Policy and therefore requires further enquiry.
- d) Also monitor the progress of the investigation and give guidance as appropriate.
- e) Log the complaint and report to the President (without confidential details);

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<sup>17</sup> The Crisis Hotline, the CBM Whistleblowing System, the HR Dispute Resolution Process and the Feedback System

<sup>18</sup> Please see the Reporting Flowchart in Annex 2

<sup>19</sup> Please see the Reporting Form in Annex 3

<sup>20</sup> Please see Annex 4 for contact details of the respective Child Safeguarding Focal Persons

<sup>21</sup> Consisting of 3- 4 people: The Focal Person, the Head of Office, Head of HR and if needed a resource person such as a lawyer.

<sup>22</sup> This team's only task is to collect further information for internal use of CBM if needed. It can consist of the Child Safeguarding Focal Person and another member of the committee itself. This team has no decision-making authority.

- f) Liaise with CBM President and IO Crisis Management Team in preparation of a holding statement or press release if necessary;
- g) Manage all information regarding child safeguarding concerns in accordance to the German Federal Data Protection Act (BDSG) of 2009. All CBM Regional and Country offices are part of CBM eV as a legal entity thus this German law applies in addition to local legislation.

## **Implementation of the Child Safeguarding Policy**

CBM will take the following measures to ensure the effective implementation of this policy:

- All CBM representatives will be required to sign an acknowledgement and consent to the terms of this Policy prior to their appointment;
- The [www.cbm.org](http://www.cbm.org) homepage and every workplace will display information that CBM is a 'Child-Safe' organization with contact details for reporting possible child abuse concerns to the Child Safeguarding Manager;
- CBM will integrate child safeguarding measures into relevant core internal processes such as: planning and program design, partner agreements, risk management, monitoring and accountability mechanisms and recruitment processes;
- Build the capacity of CBM partners in the area of safeguarding child;
- Submit a summary of child safeguarding concerns received (without confidential details) annually to the CBM Executive Management Team and Board to ensure transparency and accountability.

## **Review**

This policy will be reviewed and if necessary revised every three years. Subsequent versions will incorporate: internal lessons learned as well as external changes to child safeguarding standards that apply nationally and internationally.

## Appendix 1

### CBM Code of Conduct

I, \_\_\_\_\_ (please insert name), acknowledge that I have read and understand CBM's Child Safeguarding Policy 2014.

By signing this document, I agree:

- to comply the Child Safeguarding Policy of CBM.
- to be responsible for observing and spreading awareness for the Code of Conduct in my work environment.
- to respond immediately to any concerns, allegations and incidents, and to notify the CBM Child Safeguarding Manager without delay.

#### **In this respect I will:**

- Be committed to creating a culture of openness and mutual accountability at the work place. This culture will enable all child protection concerns to be raised and discussed and where abusive behavior can and must be challenged.
- Contribute to create and/ or uphold an environment where children are listened to and respected as individuals and which is safe, positive and encouraging to them.
- Ensure the use of the 'Two Adult Rule'. This means, when interacting with children take care that another adult is present or within reach.
- Ensure physical contact is at all times appropriate and not an invasion of the child's privacy.
- Use positive, non-violent methods to manage children's behavior.
- Respect children's dignity and their need to be protected at all times when taking photographs, filming or writing reports for public relations work.
- Protect and handle personal data of children with care and ensure that this is also respected by third parties who receive information about children from CBM or its partner organizations.
- Respond to all concerns, allegations or disclosures according to the reporting protocol;<sup>23</sup>
- Comply with any investigation (including interviews) and make available any information necessary

#### **I will never:**

- Hold, fondle, kiss, cuddle or touch children in an inappropriate and/ or culturally insensitive way.

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<sup>23</sup> Please see Reporting Protocol in Appendix 3

## CBM Child Safeguarding Policy 2014

- Engage in activities involving close body contact with children beyond the professional requirements.
- Act in ways that may be abusive or may place a child at risk of abuse.
- Make sexually suggestive comments or actions to a child, even as a joke.
- Engage in sexual activity or have a sexual relationship with a child, regardless of consent or local custom. Mistaken belief in the age of a child is not a defense.
- Marry a person below the age of 18, regardless of consent and local custom.
- Assist a child in tasks that he or she can do unaided or unless requested (such as taking them to the toilet, bathing or changing clothes).
- Hit or otherwise physically assault or physically abuse children. All disciplinary measures are non-violent and do not humiliate.
- Act in ways intended to shame, humiliate, belittle or degrade children, or otherwise perpetrate any form of emotional abuse.
- Discriminate against or favor particular children to the exclusion of others.
- Develop relationships with children that could in any way be deemed exploitative or abusive.
- Spend excessive time alone with a child, away from others, behind closed doors or in a secluded area (see 'Two Adult Rule' above).
- Take a child to their home or visit a child at their home where they may be alone with that child, or sleep in the same room.
- Sleep in the same bed as a child or allow a child to stay overnight at their home unsupervised.
- Condone, or participate in behavior with children which is illegal, unsafe or abusive, including being part of harmful traditional practices, spiritual or ritualistic abuse.
- Exploit children for their labor (e.g. domestic servants) or for sexual purposes (e.g. prostitution)<sup>24</sup> or trafficking of children; The definition of child domestic work (house help) does not include occasional babysitting, gardening, help during school holidays or out of school time.
- Take a child alone in a vehicle unless it's absolutely necessary and with parental and managerial consent.

Location & Date: \_\_\_\_\_

Signature: \_\_\_\_\_

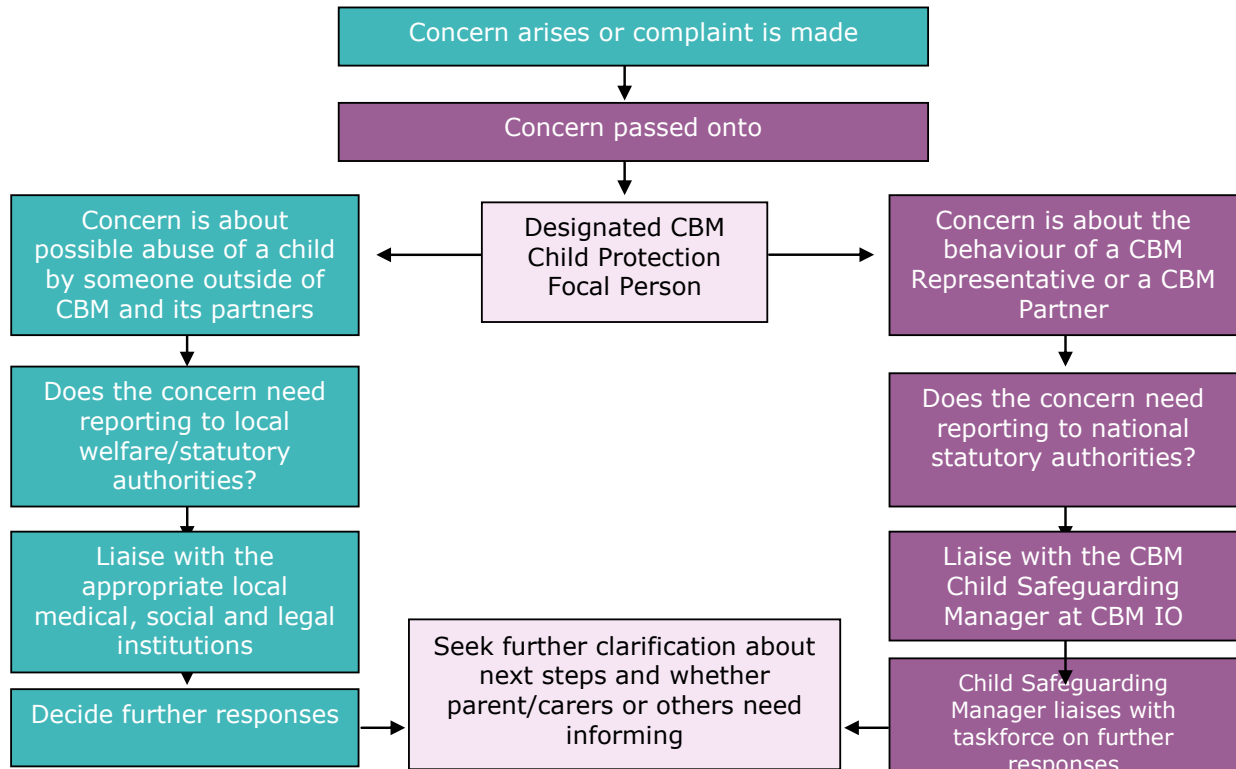
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<sup>24</sup> The unawareness of a child's age does not count as an excuse.

## Appendix 2

### CBM Child Protection reporting procedure

The procedure for responding to reports of concern is as follows:



## Appendix 3

### CBM Reporting Form for suspected cases of child abuse or maltreatment

To: CBM Child Safeguarding Manager

E-mail Subject: "URGENT: Attention, please treat this e-mail confidentially!"

The information contained in this form is confidential. This form is for reporting concerns about potential violations of CBM's Child Safeguarding Policy and Code of Conduct. It should only be sent to CBM's Child Safeguarding Manager. Please try to provide as much information as possible in the form. Areas where you have nothing to report can be left blank. If you have any doubt whether you should report your concerns, the following check list may help you to make a decision:

#### What kind of situation are you concerned about?

Did you witness child abuse?	Yes	No
Do you suspect someone of child abuse?	Yes	No
Has someone been accused of child abuse?	Yes	No
Has someone reported child abuse to you?	Yes	No
Does your concern relate to one of the following categories?	Yes	No
Do you believe that a child may have been neglected?	Yes	No
Do you believe that a child may have been mentally abused?	Yes	No
Do you believe that a child may have been emotionally abused?	Yes	No
Do you believe that a child may have been sexually abused?	Yes	No
Do you believe that a child may have been physically abused?	Yes	No
Do you believe that a child may have been spiritually abused?	Yes	No

Your concern is founded if you answered YES to any of these questions. As a CBM Representative it is your duty to report your concern with this form. Please do not delay; a child could be at risk or in serious danger if you do not act. However, please do not take any personal action or disclose any information to Third Parties until you have spoken with the Child Safeguarding Manager.

#### Information about you

Name: \_\_\_\_\_

Position within CBM or relationship to CBM: \_\_\_\_\_

Contact information

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Mobile: \_\_\_\_\_

CBM Child Safeguarding Policy 2014



E-mail: \_\_\_\_\_

What is your relationship to the child?

**Information about the child** (if other children are affected, please fill out a separate form for each)

Name: \_\_\_\_\_ Male \_\_\_ Female \_\_\_\_\_

Nationality: \_\_\_\_\_ Date of birth: \_\_\_\_\_

Age: \_\_\_\_\_ Name of CBM Partner/Project: \_\_\_\_\_

Relationship to the potential abuser: \_\_\_\_\_

Address of the child (or information about the person with whom the child lives): \_\_\_\_\_

Current location of the child: \_\_\_\_\_

What measures have been instituted for the child's safety at present?  
\_\_\_\_\_  
\_\_\_\_\_

What measures have been instituted to ensure that the abuse cannot continue? \_\_\_\_\_  
\_\_\_\_\_

What other measures are necessary to protect the child?  
\_\_\_\_\_  
\_\_\_\_\_

Is the child particularly vulnerable? Yes No

If yes, please explain:  
\_\_\_\_\_

Does the child have a disability Yes No

If yes, please specify, which disability: \_\_\_\_\_

Does the child have special communication needs? Yes No

If yes, please specify:  
\_\_\_\_\_

Has the child been repeatedly abused? Yes No

Has the child been traumatized? Yes No

Please mention special cultural factors that need to be taken into consideration:



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Other information:

What relevant bodies have been informed?

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Mention date and time contact was made, the name of the person with whom you spoke and what you talked about:

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**Information about the potential abuser**

Name: \_\_\_\_\_ Male \_\_\_ Female \_\_\_

Nationality: \_\_\_\_\_ Age: \_\_\_\_\_

Suspected abuser's relationship to the child:

\_\_\_\_\_  
Suspected abuser's relationship to CBM:

\_\_\_\_\_  
Suspected abuser's relationship to CBM Partner:

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**Information about your concern**

Type of concern/suspicion (please describe the type of abuse or mistreatment, who reported it, circumstances of the abuse and course of events):

Location of abuse:

\_\_\_\_\_  
Date: \_\_\_\_\_ Time: \_\_\_\_\_

Witnesses: \_\_\_\_\_

Conversation report:

Please describe exactly what the child said with his/her own words and what you said. Please do not direct the conversation with leading questions, report exactly what the child said:

Observations (such as injuries, fear, general impression of the child, etc.):

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Have you confronted the suspected individual with the allegations? Yes  
No

If yes, how did the suspected individual respond to the allegations? \_\_\_\_\_

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What other steps have you taken? What other measures have you initiated?

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Location: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_

## Appendix 4

### Contact Information of CBM Child Safeguarding Focal Persons by Office

<p><b>CBM IO</b> Child Safeguarding Manager E-mail:</p>	<p><b>CBM Regional Office Africa East</b> Child Safeguarding Focal Person E-mail:</p>
<p><b>CBM Regional Office Africa Central</b> Child Safeguarding Focal Person E-mail:</p>	<p><b>CBM Regional Office Africa South</b> Child Safeguarding Focal Person E-mail:</p>
<p><b>CBM Regional Office Africa West</b> Child Safeguarding Focal Person E-mail:</p>	<p><b>CBM Regional Office Eastern Mediterranean</b> Child Safeguarding Focal Person E-mail:</p>
<p><b>CBM Regional Office Asia South</b> Child Safeguarding Focal Person E-mail:</p>	<p><b>CBM Regional Office Asia South East</b> Child Safeguarding Focal Person E-mail:</p>
<p><b>CBM Regional Office Asia Central</b> Child Safeguarding Focal Person E-mail:</p>	<p><b>CBM Regional Office Latin-American &amp; the Caribbean</b> Child Safeguarding Focal Person E-mail:</p>

## Appendix 5

### Consent Form to Interview and use Images of Children

#### Guidelines on obtaining consent

Age of Child	Child's consent	Consent of parents/guardians
Under 7	No	Yes
Between 7 and 14	Yes, only if the child can fully understand what they are consenting to.	Yes
Above 14	Yes, only if the child can fully understand what they are consenting to.	Not necessary if child's consent has been obtained

#### Part A

Consent by a child under 18 with necessary age, maturity and understanding (Please, refer to guidelines on obtaining consent, above.). Where needed ensure this document is presented to the child or his/her parents in an appropriate language.

1. I agree to a CBM Representative:

- speaking to me and recording my words
- taking my photograph
- making a video

2. I agree for CBM to use:

- My story
- photographs of myself

3. I understand that my photo and/or information will be used for purposes such as:

- Educational
- promotional
- other (specify) \_\_\_\_\_

Name: \_\_\_\_\_ Age: \_\_\_\_\_

Location: \_\_\_\_\_ Date: \_\_\_\_\_

Signature/thumb-print: \_\_\_\_\_

**Part B**

Consent by parent/ carer:

- I confirm that I agree for CBM to carry out the above
- I have authority to sign this form on their behalf (if unsigned above)
- I confirm that the child has also agreed to this

Name: \_\_\_\_\_ Age: \_\_\_\_\_

Signature/thumb-print: \_\_\_\_\_

Relationship to child: \_\_\_\_\_

Date: \_\_\_\_\_

**Part C:**

Signature of the interpreter:

The Interpreter will translate the contents of this form in the appropriate language of the child / guardian and confirm the following:

- The child/guardian is literate was able to sign the consent form

The Interpreter will confirm this below:

- I have translated the contents of this form into a language understood by the child and/or guardian
- I believe that the contents of the forms have been fully understood by the child/guardian.

Name: \_\_\_\_\_ Signed: \_\_\_\_\_

Organisation: \_\_\_\_\_ Position: \_\_\_\_\_

Date: \_\_\_\_\_

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## Appendix 6

### Legislation relevant to Child Protection

A range of laws are relevant to this policy, including German law and local laws in countries where CBM works and supports Partner Organizations. A number of international child protection instruments also apply.

#### Relevant German legislation

Under German Criminal Code, a German Citizen or resident can be prosecuted for an offence committed against a child in another country under laws that have an extra-territorial application (Section 5 -7 of the German Criminal Code).

German Criminal Code (STGB)2009		
Legislation <sup>25</sup>	Example of offences	Maximum penalty
Chapter 12 Section 171	Neglecting the duty to provide care or education for a child under the age of sixteen	3 years imprisonment or a fine
Chapter 13 Section 174 a-c	Engaging in sexual activity with a child under 16 years of age entrusted to the defendant for upbringing, education and care	5 years imprisonment
	Engaging in sexual activity with a child under 18 years of age and the child is under the care, supervision or authority of the defendant	5 years imprisonment
Chapter 13 Section 176	Engaging in sexual activity with a child under 14 years of age	10 years imprisonment
	Exposing a child to pornographic material & speech	5 years imprisonment
Chapter 13 Section 184b-c	Possessing, controlling, producing, distributing or obtaining child pornography material	5 years imprisonment

<sup>25</sup>This list mentions the main relevant German legislation; it does not aim to be complete, as this goes beyond the scope of this document. For further information please refer to the German Criminal Code. [http://www.gesetze-im-internet.de/englisch\\_stgb/englisch\\_stgb.html#p1460](http://www.gesetze-im-internet.de/englisch_stgb/englisch_stgb.html#p1460)

## Local legislation

Most countries in which CBM supports works or supports partner organizations have legislation to child protection, safeguarding and abuse. When working in a programme country CBM Representatives are required to abide by local legislation, including labour laws with regard to child labour.

## International child protection instruments that apply

<b>Instrument</b>	<b>Source</b>
The United Nations Convention on the Rights of the Child	<a href="http://www.unicef.org/crc">www.unicef.org/crc</a>
Optional Protocol to the United Nations Convention on the Rights of the Child on the sale of children, child prostitution and child pornography	<a href="http://www.ohchr.org/EN/ProfessionalInterest/Pages/OPSCCRC.aspx">http://www.ohchr.org/EN/ProfessionalInterest/Pages/OPSCCRC.aspx</a>
Optional Protocol to the United Nations Convention on the Rights of the Child on the involvement of children in armed conflict	<a href="http://www.ohchr.org/EN/ProfessionalInterest/Pages/OPACCRC.aspx">http://www.ohchr.org/EN/ProfessionalInterest/Pages/OPACCRC.aspx</a>
International Labor Organization Convention 182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor	<a href="http://www.ilo.org/public/english/standards/relm/ilc/ilc87/com-chic.htm">http://www.ilo.org/public/english/standards/relm/ilc/ilc87/com-chic.htm</a>
The United Nations Convention on the Rights of Persons with Disabilities	<a href="http://www.un.org/disabilities/default.asp?id=259">http://www.un.org/disabilities/default.asp?id=259</a>

## **Appendix 7**

### **The Keeping Children Safe Coalition (KCS)**

The Keeping Children Safe Coalition (KCS) is a membership network of organisations working together to increase safeguards offered to children, with CBM having become their Associate Member in 2013.

KCS strives to ensure children globally are safeguarded and protected from all forms of violence, abuse and exploitation. It was formed in 2001 by some of the leading international development agencies in response to incidences of abuse and exploitation of children that were arising as a result of organisations work with vulnerable communities.

KCS has developed an approach based on agreed standards<sup>26</sup> that offers very practical help to agencies in addressing Child Safeguarding issues. Developing ways of keeping children safe is a crucial part of operating ethically and making sure that children are protected.

### **The 11 Keeping Children Safe Standards**

Standard 1: A written policy on keeping children safe

Standard 2: Putting the policy into practice

Standard 3: Preventing harm to children

Standard 4: Written guidelines on behaviour towards children

Standard 5: Meeting the standards in different locations

Standard 6: Equal rights of children to protection

Standard 7: Communicating the 'keep children safe' message

Standard 8: Education and training for keeping children safe

Standard 9: Access to advice and support

Standard 10: Implementing and monitoring of the standards

Standard 11: Working with partners to meet the standards

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<sup>26</sup> For the complete Keeping Children Safe Tool Kit and details on the standards please visit: <http://www.keepingchildrensafe.org.uk/kcstoolkit-english>



## Appendix 8

### Glossary

**Abuse**—Includes:

- **Physical abuse** - the use of physical force against a child that results in harm to the child. Physically abusive behavior includes shoving, hitting, slapping, shaking, throwing, punching, kicking, biting, burning, strangling and poisoning
- **Neglect** - the failure by a parent or caregiver to provide a child (where they are in a position to do so) with the conditions that are culturally accepted as being essential for their physical and emotional development and well-being
- **Emotional abuse** - refers to a parent or caregiver's inappropriate verbal or symbolic acts toward a child or a pattern of failure over time to provide a child with adequate non-physical nurture and emotional availability. Such acts have a high probability of damaging a child's self-esteem or social competence
- **Sexual abuse** - the use of a child for sexual gratification by an adult or significantly older child or adolescent. Sexually abusive behaviors can include fondling genitals, masturbation, oral sex, vaginal or anal penetration by a penis, finger or any other object, fondling breasts, voyeurism, exhibitionism and exposing the child to, or involving the child in, pornography.
- **Spiritual/Religious abuse** - refers to abuse administered under the guise of religion, including harassment or humiliation, possibly resulting in psychological trauma. Religious abuse may also include misuse of religion for selfish, secular, or ideological ends such as the abuse of a clerical position.
- **Ritual abuse** – refers to a severe form of abuse of a child consisting of physical, sexual, emotional and spiritual abuse involving the use of religious rituals or ceremonies.

**Behavioral-based interview questions** - Interview questions that probe the applicant's past behavior in specific situations relevant to the position. Behavioral-based questions give interviewers additional information as to the applicant's suitability to work with children.

**CBM Representatives** - People employed by CBM on a permanent or temporary basis in Germany or overseas (staff), CBM Board Members, consultants, interns, visitors, including all members of the CBM family, as well as subcontractors and representatives visiting CBM supported partners.

**Child or children**—In accordance with the United Nations Convention on the Rights of the Child, 'child' means every human being under the age of 18 unless under the law applicable to the child, majority is attained

earlier. For the purposes of this policy, CBM considers a child to be a person under the age of 18 years.

**Child abuse material** - Material that depicts (expressly or implicitly) a child under 18 years of age as a victim of torture, cruelty or physical abuse;

**Child exploitation and abuse**—One or more of the following:

- committing or coercing another person to commit an act or acts of **abuse** against a child;
- possessing, controlling, producing, distributing, obtaining or transmitting **child exploitation material**;
- committing or coercing another person to commit an act or acts of **grooming** or **online grooming**;

**Child exploitation material** - Material, irrespective of its form, which is classified as **child abuse material** or **child pornography material**;

**Child pornography** - In accordance with the Optional Protocol to the Convention on the Rights of the Child, 'child pornography' means 'any representation, by whatever means, of a child engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a child for primarily sexual purposes.'

**Child pornography material** - Material that depicts a person, or is a representation of a person, who is, or appears to be, under 18 years of age and is engaged in, or appears to be engaged in, a sexual pose or sexual activity, or is in the presence of a person who is engaged in, or appears to be engaged in, a sexual pose or activity, and does this in a way that a reasonable person would regard as being, in all the circumstances, offensive.

**Child protection** - An activity or initiative designed to protect children from any form of harm, particularly arising from child exploitation and abuse.

**Contact with children** - Working on an activity or in a position that involves or may involve contact with children, either under the position description or due to the nature of the work environment.

**Criminal record check** - A check of an individual's criminal history record;

**Grooming** - Generally refers to behavior that makes it easier for an offender to procure a child for sexual activity. For example, an offender might build a relationship of trust with the child, and then seek to

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sexualize that relationship (for example by encouraging romantic feelings or exposing the child to sexual concepts through pornography).

**Harmful Traditional Practices** – refers to rituals, traditions or otherwise practices that have a negative effect to the health, physical and psychological integrity, or the full exercise of human rights by the exposed child, e.g. Female Genital Mutilation, forced early marriage, etc. .

**Online grooming** - The act of sending an electronic message with indecent content to a recipient who the sender believes to be under 16 years of age, with the intention of procuring the recipient to engage in or submit to sexual activity with another person, including but not necessarily the sender.