



# POLICY

# CHILD PROTECTION

Protective Behaviours South Africa (PBSA) is a child protection organization (CPO). We therefore have a responsibility and obligation to apply child protection principles and processes on a daily basis with children whom we come into contact with in the execution of our duties. We strongly condemn all forms of child abuse and exploitation, be it within or outside of our organisation, and always respond to any case of proven, alleged or attempted abuse within our sphere of influence according to its nature. Efforts ensure that mechanisms are in place to raise awareness, aid prevention, encourage reporting and ease response.

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Our Policy is based on

- i. The PBSA vision, mission and values
- ii. The Constitution of South Africa and related legislative frameworks.
- iii. United Nations Convention on the Rights of the Child, & the ACRWC (African Convention of the Rights and Welfare of the Child).
- iv. The standards on child protection as defined by the Keeping Children Safe Coalition, Ref: <https://resourcecentre.savethechildren.net/library/keeping-children-safe-toolkit-child-protection>

## **INTRODUCTION**

This Child protection policy is a general framework for all its members and all stakeholders associated with PBSA. It is binding for all member of PBSA and all stakeholders associated with the organization. Every child is potentially at risk from abuse and exploitation. It is crucial that EVERY person connected to PBSA understand child abuse and their role and responsibilities in protecting children.

PBSA does not directly care for children, but it's Practitioners will come into contact with children when they are called upon to run the PB 10-16 week Programme in schools, ECD's, Child Care Centres, etc. This Policy will cover our commitment and our processes to ensure that our Practitioners operate with the best interests of the safety of children in mind, while they execute their duties of presenting the PB programme.

## **GOALS OF THE CHILD PROTECTION POLICY**

- i. To prevent abuse from occurring
- ii. To protect children when abuse has occurred
- iii. To assist children in gaining appropriate support when abuse has occurred.

## **VALUES AND PRINCIPLES OF THE CHILD PROTECTION POLICY**

PBSA commits to:

- i. Best Interest of the Child - The UNCRC states that in each and every decision affecting the child, the various possible solutions must be considered and due weight given to the child's best interests.
- ii. Non-discrimination – The child must be protected from unfair discrimination on any grounds, including the grounds of health status or disability of the child or a family member of the child.
- iii. Child participation – This principle affirms that children are entitled to express their view in all matters affecting them
- iv. Child-need Centred – All proceedings, actions or decisions in matters concerning the child must: - Respect, protect, promote and fulfill the child's rights as set out in the Bill of Rights
- v. Family Preservation – The Children's Act recognizes the need of a child to be raised in a stable family environment
- vi. Parental consent – Encourage parental or primary caregiver consent for children's participation in PB programme activities whenever possible. Aside from protecting the organization, this also honours, emphasizes and encourages parental responsibility.
- vii. Child Participation – Discuss with children what makes them feel safe and unsafe, and agree on ways for children to complain if they have a concern about themselves or a friend. Allow processes for ensuring children are consulted and listened to, to ensure their voices

are heard and that their views inform and influence the development of safeguarding measures at the Centre in line with the process of PB Protective Interruption.

- viii. Organisational Participation – Before a programme can be run by our Practitioners in another organization or school, a meeting must be arranged to discuss that organization or school's child protection policy and how their staff will help to ensure the safety of the children while the PB programme is being run. In the absence of a standing Child Protection Policy, Practitioners should encourage the appropriate implementation of such.
- ix. Confidentiality – All roleplayers and stakeholders involved with a child must protect the confidentiality of information received.
- x. Screening – All Practitioners, staff and Volunteers are compelled to complete the Form 29 to be checked against Part B of the National Child Protection Register (Regulation 44) held by the Department of Social Development. This is in accordance to Section 126 of the Children's Act 38 of 2005. In the case where his or her name appears on the child protection register, the employment or service contract will be terminated with immediate effect. All Practitioners, staff and Volunteers are compelled to be cleared against the Sexual Offenders Register in accordance with the Sexual Offences Act of 2007, as held by the Department of Justice. In the case where his or her name appears on the Sexual Offenders register, the employment or service contract will be terminated with immediate effect.

## **KEY PARTS OF THE CHILD PROTECTION POLICY**

- Awareness: raise awareness of child abuse and its risks
- Prevention: provide guidance on how to safeguard children from abuse
- Reporting: set up and adhere to a clear and simple reporting procedure
- Responding: ensure clear action is taken when child abuse is suspected or reported
- Referring: ensure children are referred to appropriate organisations for services outside of the scope of PBSA

### **Awareness:**

- i. Understand child abuse in all its implications.
- ii. Provide regular opportunities to discuss children's rights and child protection
- iii. Provide regular opportunities for Children to voice their concern so that any protect on concern can be heard and addressed in line with our PB Process of Protective Interruption
- iv. In case of conflicting interest, give priority to child welfare.
- v. Roles and responsibilities regarding child protection are clearly defined and communicated
- vi. Employment contracts codes of conduct signed also refer to the child protection policy

### **Prevention:**

- i. PBSA members and stakeholders should disclose previous criminal record e.g. police check
- ii. Practitioners receive training and sign code of conduct confirming their understanding, commitment to our child protection policy.
- iii. This policy is regular topic in all trainings
- iv. Children are enabled to assume roles in their own development and protection
- v. We support awareness raising and capacity building of parents, community and religious elders on child protection and PB.
- vi. Through our advocacy work within communities and societies child protection systems are strengthened which better prevent and respond to issues of child protection raised children

## **Reporting:**

All children, parents/ caregivers and other relevant adults will be provided with information on how to raise complaints relating to the behaviour of any of our partners.

Reporting Procedures will be done through the following:

*Incident Report:*

*Appendix 1*

Incident Reporting Forms must be available and guidelines known by all. Lists of contacts for specialist advice, information and assistance should be available and at hand.

The following incidents must be formally reported by completing the *Incident Report (Appendix 1)* by staff to the Management of PBSA, the relevant Child Protection Organisation, and/or the child's parents within two hours of discovery or reporting of the incident:

- i. Removal or any attempted removal of a child from the Organisation by anyone who is not permitted to do so;
- ii. Any situation in which restraint, isolation, or prohibited behaviour management measures are used;
- iii. Accident or illness requiring medical attention or hospitalisation;
- iv. Allegations of physical, psychological, emotional, sexual or verbal abuse should be reported with a Form 22 to a Child Protection Organisation;
- v. Absence (3 days) of a child or young person from the Programme, according to their individual development plan;
- vi. Receiving report of a missing child (a child who is usually part of the programme);
- vii. Interventions by the South African Police Service or Law Enforcement Officers.
- viii. Any criminal charge or conviction of a staff member, child, service provider, volunteer or other adult involved with the Centre;
- ix. Any substance abuse by a staff or service provider while on duty or when he/she arrives on duty under the influence of alcohol or drugs or he/she deals in drugs.
- x. Involuntary Committal. Any situation where a child at risk due to emotional or physical circumstances (eg. serious intoxication; mental health issues) requires medical assistance.
- xi. To document one child's behaviour toward another (i.e. biting or hitting) that did NOT result in injury to the second child but needs to be recorded in the event of future situations occurring that warrant intervention by a parent. An isolated incidence of biting may not require a talk with the parents, but a documented history of biting would suggest that the parents be notified of their child's behaviour.
- xii. Death or injury to a child.
- xiii. Any emergency or fire incident should be reported.
- xiv. Whenever something is broken or stolen.

Refer to [Addendum A](#) for guidelines to filling out an operations & safety incident report and informing parents or guardians:

## **Responding:**

PBSA ensures that Practitioners, staff, parents/caregivers, children and others are clear regarding the steps to be taken where concerns are raised regarding the safety of children. PBSA Management will ensure that all incidents are reported timeously and that action is

taken to support and protect the children regarding possible abuse. Any allegations of abuse and inappropriate behaviour made against staff or volunteers are investigated and managed in a manner that upholds our commitment to child protection as well as the provision of a fair management procedure for staff and volunteers. This will be done through:

- i. Establishing systems and procedures to investigate complaints, and act promptly against staff members and related personnel (eg volunteers, Donors) found to be guilty of abusive behaviour towards children. This will operate within the framework provided by the South African legislation.
- ii. Establishing systems and procedures to investigate negative behaviour (eg bullying, theft) by one child to another and act promptly against children (beneficiaries) found to be guilty of negative behaviour towards other children.
- iii. Taking actions to protect and support the children, parents/caregivers and other relevant adults who make complaints. Investigations and disciplinary proceedings instituted as a result of complaints or reports will be treated in terms of the procedures within the code of conduct.
- iv. Establishing awareness procedures in the case of medical conditions (eg. HIV, TB, ADHD, Epilepsy) of children and staff when these conditions require daily medication. The needs of the particular child and the risks to themselves and other children and staff are to be taken into account, as well as confidentiality issues. Universal precautions with regard to accidents, injury and bodily fluids are also applied.
- v. Ensure that remedial services are provided to complainants.
- vi. Provide feedback to complainants on the outcome of the complaints.

Refer to Addendum B to guidelines to responding to a child who discloses abuse.

### **Referring:**

Children will be referred to any necessary and appropriate service that the Organisation does not provide, such as:

- i. CPO's (for statutory intervention)
- ii. Health and Therapeutic Services & professionals
- iii. Educational Facilities
- iv. Home Affairs, SASSA (id's, birth certificates, etc)

## **INFORMATION AND COMMUNICATION TECHNOLOGY**

- i. No photographs to be taken of children except with the official Organisation camera or by the person designated to do this. No other cameras can be brought to Organisation especially when there are children present.
- ii. Staff must not befriend beneficiaries on Social Media (eg Facebook friends)
- iii. Incidents of misuse of ICT materials, will be officially reported and documents with a statement from Organisation Management to SAPS.
- iv. All materials produced by the Organisation or staff should be properly referenced to protect the organization from liability claims.
- v. When using images and stories about children, families and communities to promote their work, the organization does all to minimize the risk of inappropriate use of information, stories and visual images (photos, video or social media) of children. This includes:
  - Images of children must not show them in states of undress or in inappropriate poses.
  - Details attached to images and included in stories must not allow that child to be traced to his or her home or community.

- Distinctive buildings, street signs or landmarks should not be included in an image if they identify where a child lives.
- Tagging of images should be disabled when taking photographs or using social media.
- Photographers/ journalists/ translators should be properly vetted with references checked before using them.
- Children and their parents need to give permission for their images and information to be taken and used by the organisation.

## **CONFIDENTIALITY**

PBSA is committed to its workers as well as to the children. Therefore it is essential that the names and details of all people involved in a possible child abuse case only be disclosed to the relevant persons in so far as it is possible unless disclosure to others is in the best interests of the child. Complete confidentiality should never be promised as this could compromise the safety of the child.

PBSA commits never to cover up for high profile people allegedly accused of questionable behaviour, but use the best interest of the child in line with legislation and best practice as the guiding principle in responding to allegations or concerns.

## **TRAINING, ADVOCACY AND NETWORKING**

PBSA is committed to working with other projects, community members, government and police to eradicate the abuse, neglect and exploitation of children. We commit ourselves to learn with others, and to speak up for children to receive justice and protection in our community. We commit to making people aware of the risks and abuse experienced by children and what they can do to protect them. We commit to work together with others to educate and empower children to identify and to speak up about abuse as well as to report abuse.

PBSA is committed to educating our staff, Board, Volunteers and affiliates about the importance of child protection so that children are protected from abuse by staff and others, and so that preventative measures can be put in place to protect PBSA and the children we assist.

## **Child Abuse Definitions**

Sometimes it is difficult to define “harm” to children because children can be abused in so many ways, depending on the context and the culture. They may be abused in a family, an institution, community or faith setting, or via social media / internet. They may be harmed by an adult or adults or another child or children. The following definitions can be used as a guide:

- i. Physical Abuse – Actual or potential physical harm (or suffering) perpetrated by another person, adult or child. It may involve hitting, beating with an object, shaking, throwing, poisoning, drowning, suffocating or burning.
- ii. Sexual Abuse – Forcing or enticing a child to take part in sexual activities that he or she does not fully understand and has little choice in consenting to. This may include, but is not limited to rape, oral sex, penetration, or non-penetrative acts such as masturbation, kissing, rubbing and touching. It may also involve children looking at, or producing sexual images, watching sexual activities and encouraging children to behave in sexually inappropriate ways.
- iii. Child Sexual Exploitation – A form of sexual abuse that involves children being engaged in any sexual activity in exchange for money, gifts, food, accommodation, affection, status, or anything else that they or the family needs. It usually involves a child being manipulated or coerced, which may involve befriending children, gaining their trust, and subjecting them to drugs and alcohol. The abusive relationship between victim and perpetrator involves an

imbalance of power where the victim's options are limited. It is a form of abuse that can be misunderstood by children and adults as consensual.

- iv. Neglect and negligent treatment – Allowing for context, resources and circumstances, neglect and negligent treatment refers to a persistent failure to meet a child's basic physical and/or psychological needs, which is likely to result in serious impairment of a child's healthy physical, spiritual, moral and mental development. It includes the failure to properly supervise and protect children from harm and provide for nutrition, shelter and safe living/working conditions.
- v. Emotional Abuse – Persistent emotional maltreatment that impacts on a child's emotional development. Emotionally abusive acts include restriction of movement, degrading, humiliating, bullying (including cyber-bullying), and threatening, scaring, discriminating, ridiculing or other non-physical forms of hostile or rejecting treatment.
- vi. Commercial Exploitation – Exploiting a child in work or other activities for the benefit of others and to the detriment of the child's physical or mental health, education, moral or social-emotional development. It includes, but is not limited to, child labour and child trafficking.
- vii. Organised or Positional Abuse – Organised abuse is sexual abuse or exploitation where there is more than a single abuser and the perpetrators concerned appear to act together to abuse the child or children, and/or where an adult uses an institutional framework or position of authority to recruit children for sexual abuse or exploitation.
- viii. Spiritual Abuse – Spiritual abuse occurs when a spiritual leader or someone in a position of spiritual power or authority (whether organization, church or family) misuses their power or authority, and the trust placed in them, with the intention of controlling, coercing, manipulating or dominating a child.

### **Positive Interactions with Children**

The steps below outline a process to help all PBSA Representatives maintain positive interactions with children at all times. There must always be two non-related adults present when supervising one or more children. ("Two Adult Rule")

#### Ways to Avoid Problem Behaviours

- i. Come prepared by reading through your lesson before it begins.
- ii. Be sensitive to the moods of the children in the group.
- iii. Provide enough space for each child.
- iv. Set clear and age appropriate expectations with the children.

#### When Kids Require Discipline or Guidance

- i. Use a firm but gentle voice to address the behaviour.
- ii. Remove the child from the activity.
- iii. Focus your remarks on the behaviour you want to see.
- iv. Do not use words or a tone of voice that shames or frightens a child/student.
- v. Do not use sarcasm or scream at a child/student.
- vi. Never make remarks that put down the individual as a person or make negative references about appearance, race or gender.
- vii. Never use corporal punishment or spanking of any kind.
- viii. Use touch in affirming ways (see Child Protection guidelines for details),  
Appropriate examples: high fives, pat on the back or shoulders, etc.  
Inappropriate examples: demanding/expecting hugs, slapping on the buttocks, kissing, etc.
- ix. If assistance is needed, contact your department leader
- x. A confidential parental discussion should occur with the Department Leader, Division/Staff Leader, parent and child when necessary.

## **NON-COMPLIANCE**

Non-compliance with this child protection policy poses a serious liability to PBSA as an organization and to the interests of children who should be protected by the Network. Therefore child protection implementation should form part of the annual risk assessment process of the PBSA Board and non-compliance viewed in a very serious light. Therefore the continuous development of child protection measures in line with best practice and the implementation of non-compliance procedures in the event of a breach must be ensured.

Staff members who do not comply with the procedures outlined in this policy will face disciplinary action including a disciplinary hearing in line with the PBSA Disciplinary Code.

Should a Board member fail to act in compliance with this child protection policy, the matter will be referred to the Board and the Board will make a decision with regards to how this matter will be handled. In the event where the matter cannot be resolved in the best interest of children and of the organization, then the Board member may be asked to resign voluntarily or be asked to step down.

Employee /Visitors /volunteers /students / interns who fail to comply with the procedures of this child protection policy or whose interaction with children raises questions, will not be allowed to continue their involvement with child-based projects and will also not be allowed to have continuous access to children if that is in the best interest of the children concerned.

The following procedures must be kept in mind when responding to concerns and complaints:

- i. The concern or complaint must be obtained in writing as far as possible through completion of the incident form.
- ii. Detailed records of all conversations, documentation, as well as meeting minutes must be kept to document the investigative process as well as the outcomes.
- iii. All processes are to be followed up until clear outcomes are reached by continuing to liaise with the relevant roleplayers.
- iv. This information should be stored safely and confidentially, but be available to relevant persons such as the police.
- v. If a person poses a risk to a child, the person may not be allowed to work with children in an organization and the allegation will be reported to the police / statutory social services / DSD if applicable.
- vi. If any allegations of concerns of child abuse related to a worker of PBSA, then the Board will determine the appropriate course of action in terms of the worker continuing with their usual work, pending any investigation into the allegations or concerns. It is strongly recommended that such a person be suspended pending the outcome of the investigation so as to ensure that the person does not interfere with witnesses.
- vii. If the person is found guilty of misconduct following the child protection procedures and protocol, they will be disciplined according to the PBSA Disciplinary Code. If a person is found guilty of abuse, they will be dismissed immediately, as set out in the PBSA Disciplinary Code. The person will be reported to the National Child Protection Register and the National Register for Sex Offenders if applicable.

## **ADDENDUM A**

### HOW TO FILL OUT AN OPERATIONS & SAFETY INCIDENT REPORT AND INFORM PARENTS OR GUARDIANS:

- Report the injury immediately to the department leader.
- The volunteer or staff person who witnessed the incident needs to fill out an *Incident Report – Appendix 1* completely and accurately. Record all details immediately.
- When the form is completed, discuss it with the department leader. The department leader is responsible for privately communicating the information to the injured child's parent.
- Be honest with the parents about the situation that occurred; reassure them of our desire to provide the best care possible. Recognize that parents may be upset but do not let that deter you from being honest with them.
- Do not offer medical advice to parents. Simply offer your apology or concern.

#### Reporting Accidents/Health Conditions – Life Threatening

These situations are those that have resulted in:

LOSS OF CONSCIOUSNESS; SIGNIFICANT BLOOD LOSS; DIFFICULTY BREATHING, etc.

Go directly to the registration desk to call 10117. Collect the following information when possible:

- i. Type of injury or health condition
- ii. Information about the injured person: age, gender, etc.
- iii. Venue you are calling from

Notify the leader on duty that emergency services have been called. Have registrations call the parents out of the service.

#### Reporting Accidents/Health Conditions – Non-Life Threatening

These situations are those that have resulted in:

MINOR ACCIDENTS CAUSED BY A BUMP, BITE, BRUISE OR SCRAPE etc.

These injuries can be handled at the Registrations desk. Note that gloves are to be worn at all times. The volunteer or staff person who witnessed the situation needs to complete an "Operations & Safety Incident Report". If a parent needs to come to the room to console a child in Infants to Grade 2, ask the registration desk to contact the parent.

#### Reporting Accidents/Health Conditions – More significant injuries, but not life threatening that require a medical person

These injuries may be a significant size bump or the inability to move a part of the body (arm, leg, finger, etc.). Call Registrations and notify them of the injury. Call the parents to come to child.

#### Reporting Potential Abuse

*Please note that failure to report to the authorities (police) can result in criminal action being taken against you as an individual.*

- i. Report your suspicions of child abuse/neglect to the Organisation (both the organization you are working in and PBSA) by completing a Form 22
- ii. Report any suspicions that a child or teen reports to you about potential abuse to your Department Leader or Superintendent by completing a Form 22.
- iii. Report any inappropriate behaviour of a colleague or co-worker to your Department Leader or Superintendent.
- iv. Do not wait or second-guess your observations.

Once your Department Leader or Superintendent receives any of the above reports, he/she will follow all the appropriate Child Protection Policy guidelines.

## ADDENDUM B

### HOW TO RESPOND TO CHILD DISCLOSURE

If a child discloses abuse, the person must respond in the following way:

- React calmly
- Show acceptance of what the child says.
- Reassure the child that they have the right to tell.
- Tell the child you need to inform the relevant persons and explain the next steps of the process in child-friendly terms.
- Take all allegations of abuse /neglect seriously
- Be aware that the child may have been threatened, bribed or manipulated not to tell anyone.
- Do not judge or blame the child or make the child feel guilty.
- Listen, even when it is hard to believe.
- Ensure the child is safe.
- If the child needs medical attention, ensure that the medical staff knows it is a child protection issue.
- Make a written record of the conversation as soon as possible.
- Complete the Incident Form

The person must NOT do the following:

- Make empty promises such as keeping the information a secret.
- Judge / blame the child or make the child feel guilty.
- Give the impression that he/she does not believe the story. Try to determine the guilt of the person accused – this is the role of the justice system.
- Push for information or ask leading questions.
- Interrupt the child while they share the story.
- Fail to report or cover up for high profile people.
- Send the child back to unsafe circumstances.