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## **1. POLICY STATEMENT**

Milijuli Samaj Nepal commits itself to creating and maintaining an environment which promotes its core values and prevents child abuse and exploitation. We strongly condemn all forms of child abuse and exploitation, are it within or outside our organization, and always respond to any case of abuse according to its nature. Consequences and responses range from human resource development actions such as training and counseling to measures such as suspension, dismissal, and legal action.

Our Policy is based on: a) The organization's vision, mission and values b) The United Nations Convention on the Rights of the Child c) Experience and input from staff, d) volunteer and supporters of Milijuli Samaj Nepal

## **2. INTRODUCTION**

This policy document is a general framework for all member associations with MSN. Based on this framework, each member works out its own approach to bring child protection to life in their respective Schools.

Every child is potentially at risk from abuse and exploitation. Therefore it is crucial that every person connected with MSN understands child abuse, as well as his or her own role and responsibilities in protecting children.

***Any definition of child abuse assumes a definition of the child. According to the United Nations Convention on the Rights of the Child (UNCRC) a child is “every human being below the age of 18 years”.***

We recognize that child abuse and exploitation happen in all countries and societies around the world. Trying to define it as a world phenomenon is still difficult because of the vast cultural, religious, social, political, legal and economic differences that children experience. What is considered abusive in one country may be acceptable in another. Most research on child abuse has been carried out in economically developed countries and its relevance to children whose lives are very different is not clear.

In order to protect child abuse, it is crucial that we as an organization reach a common understanding as to what child abuse is and in which circumstances our policies and procedures apply. More often than not, the abuser is a person close to the child and whom the child trusts. Through this policy we want to positively influence the practices of MSN working area such as beneficiary families, schools and the families of our staff.

***MSN respect and value in accordance with UNCRC policy, which states that every child or youth has the right to develop freely in a democratic environment with equality, good treatment, peace and social justice. The Convention emphasizes the right of every child to be protected from all forms of abuse, abandonment, exploitation and violence.***

We as an organization respect each child as an equal, perceive children as subjects of rights, and work towards enabling them to take on responsibility for their own development and protection.

### **3. GOALS OF THE CHILD PROTECTION POLICY:**

The child protection policy aims to:

- Form an active network of protection so that all children and adults in our partners are safe and protected. MSN staff strives together for child protection.
- Reduce the number of reported and unreported abuse cases (child-to-child, adult-to-child) every year.
- Make children aware of their rights and their active role in child protection.
- Encourage staff involved directly with children to apply the skills needed to contribute to each child's development.
- Ensure that all staff has the working conditions needed to contribute to each child's development.
- Inform children, staff, board members, and volunteers about the child protection policy and related procedures (awareness, prevention, reporting, responding).
- Foster open and honest discussions on child abuse in national meetings and workshops.
- Put in place fair, secure and transparent reporting channels in each program/project.

### **4. WHAT IS CHILD ABUSE?**

Definitions of the four main categories of abuse

#### **A) PHYSICAL ABUSE**

Physical abuse of a child is the actual or potential physical harm from an action or lack of action, which is reasonably within the control of a parent or person in a position of responsibility, power, or trust. Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child including fabricating the symptoms of, or deliberately causing, ill health to a child. There may be single or repeated incidents.

#### **B) SEXUAL ABUSE**

Sexual abuse is evidenced by an activity between a child and an adult or another child who, by age or development, is in a relationship of responsibility, trust or power; the activity being intended to gratify or satisfy the needs of the other person. Child sexual abuse involves forcing or enticing a child to take part in sexual activities, whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative or non-penetrative acts. This may also include involving children in looking at, or in the production of, pornographic material, or encouraging children to behave in sexually inappropriate ways.

#### **C) NEGLECT AND NEGLIGENT TREATMENT**

Neglect and negligent treatment is the inattention or omission on the part of the caregiver to provide for the development of the child in: health, education, emotional development, nutrition, shelter and safe living conditions, in the context of resources reasonably available to the family or

1 The following definitions are based on the definition used by Every Child as well as on the definitions elaborated by the WHO, 1990. Further elaboration on these and other forms of child abuse can be found in the *“Keeping Children Safe: Standards for Child Protection”, training toolkit Tool 3, Training for Child Protection, Trainer’s notes, p. 123 and the following. This*

*toolkit was produced by the Keeping Children Safe Coalition, UK in 2006:*  
<http://www.keepingchildrensafe.org.uk/>

caretakers and which causes, or has a high probability of causing, harm to the child's health or physical, mental, spiritual, moral or social development. This includes the failure to properly supervise and protect children from harm as much as is feasible.

#### **D) EMOTIONAL ABUSE**

Emotional abuse is the persistent or emotional ill treatment of a child that adversely affects his or her development. It may involve conveying to children that he or she are worthless, unloved, and inadequate, or there only to meet the needs of another; or where inappropriate expectations are imposed upon them. Acts include restriction of movement, degrading, humiliating, escape - gloating, threatening, scaring, discriminating, ridiculing, or other non-physical forms of hostile or rejecting treatment. In addition, it includes children who are regularly frightened, exploited or corrupted.

### **5. SPECIFIC CONSIDERATIONS**

#### **A) CHILD-TO-CHILD ABUSE**

Allegations or concerns regarding the abuse of a child by another child need to be responded to with particular sensitivity; nevertheless, they have to be dealt with through the child protection procedures.

Any work with young people who have committed abuse requires an effective approach which ensures the protection of the local community while, at the same time, supporting the young person in challenging and changing his or her behavior. Any such approach requires:

- The recognition that a child who has committed abuse to another child differs significantly from adults who have committed similar offences, as the child is not fully aware of why he or she has abused and what the consequences are.
- The best interest of the child is the primary consideration in all decisions made – for both the victim and the abuser.

#### **B) HISTORICAL ALLEGATIONS OF ABUSE**

Historical abuse refers in this policy to abuse which an adult reports as having suffered as a child or young person while in contact with MS-Nepal. It is often the case that an individual may not report abuse until many years after the event.

Any such allegations are raised as a child protection concern through the child protection procedures. MSN will:

- Listen to, take seriously, and act responsibly towards allegations of historical abuse.
- Seek to promote the welfare of those adults who allege historical abuse.
- Promote the protection of any children who may currently be at risk from the person alleged to have been an abuser.

## **6. KEY PARTS OF THE POLICY**

**a.** Awareness: Raise awareness of child abuse and its risks. **b.** Prevention: Provide guidance on how to safeguard children from abuse. **c.** Reporting: A clear and simple reporting procedure is in place. **d.** Responding: Ensure clear action is taken when child abuse is suspected.

### **A) AWARENESS**

The development of an open and responsive culture is essential for safeguarding children. We as an organization and each responsible person need the courage to break the silence and taboo of discussing child abuse. Through clear and honest communication we give and receive both positive and critical feedback.

**a)** It is crucial that everyone connected to understand child abuse.

**b)** We provide regular opportunities to discuss child protection: at meetings, during informal discussions, or in performance appraisals.

**c)** The best interests of the child guide our child protection process. In the case of conflicting interests, we give preference to the child's welfare.

**d)** Roles and responsibilities regarding child protection are clearly defined and communicated.

**e)** All employment contracts and codes of conduct signed by staff and representatives of the organization also refer to the child protection policy.

### **B) PREVENTION**

To prevent child abuse we need to create and maintain an environment which promotes our organization's core values. A wide range of actions can support that: The main focus is on implementing suitable human resource recruitment and development approaches. Combined with this, it is essential that we carefully listen to children, take their views seriously, encourage them to participate in discussions on child protection issues, and offer them the opportunity to building trust-filled relationships.

**a)** The highest standards of selection, recruitment and verification procedures are applied.

Applicants for any position as a staff or volunteer disclose all previous criminal convictions. This is accomplished through providing a police check or another appropriate check, and cross checking of references. **b)** Each staff receives adequate training and sign codes of conduct confirming their understanding of and commitment to our child protection policy. **c)** Staffs are provided with orientation regarding the child protection policy during the first month of their employment. **d)**

Child protection is a regular topic in every staff training program. **e)** Through training and experience sharing, we learn the difference between appropriate and non appropriate behavior. Child and youth-care staff treats children with affection, but keep clear and supportive boundaries. **f)** Children are enabled to take on responsibility for their own development and protection. They are encouraged to participate in all matters affecting their lives and are involved in discussions on their rights. Children discuss what acceptable and unacceptable behavior is and what they can do if they feel something is not right. **g)** Each child is offered individual

development opportunities tailored to his or her needs and potential. Staff receives training and support to put child development activities into action. **h)** All child and youth-care staff has access to family counseling services when needed. **i)** Staffs are encouraged to regularly share experiences within and between facilities and programs regarding how they approach child protection. **j)** Attention is given to ensuring that adequate working conditions are in place in all facilities and programs by ensuring the implementation of the standards in the MSN's children homes and human resources manual.

### **C) REPORTING**

We take all concerns raised seriously and take appropriate action. Each schools defines clear reporting and responding procedures, including internal communication lines, and defines the roles and responsibilities of all people involved. Quick and transparent measures are ensured which also take local legal responsibilities into account.

**a)** In each school a team of three persons or management team is appointed to whom child protection cases can be reported and who are known to children and staff. In each school committee coordinate to MSN, the team consists of the principal, teacher, and community representative and from the parents' representative.

**b)** Every responsible person is obliged to immediately provide any information he or she has regarding a possible case of child abuse to a member of the child protection team. Any adult who withholds information or covers up any kind of abuse is considered an accomplice.

**c)** Children, staff or other adults who make reports are supported and protected. A person accused of child abuse is given a fair hearing.

**d)** Confidentiality is of utmost importance when dealing with cases of abuse and information is handled with sensitivity. The child or any other person who brings information regarding child abuse is informed that if he or she reports the case, information about the abuse needs to be shared with the child protection team and other persons involved.

### **D) RESPONDING**

All forms of child abuse are treated equally and result in a variety of responses. We ensure that there is always a response, regardless of whether the abuse committed is considered large or small. By responding we guarantee that a transparent and fair procedure is followed, so that nobody is falsely convicted and the rights of everyone involved are protected.

**a)** In all cases of suspected or proven child abuse or neglect, the focus is placed on safeguarding and protecting the child. At the same time, healing measures are provided and the protection for all persons involved is guaranteed. The affected child receives the necessary counseling and support.

- b)** In-charge of each children home determines what procedure to follow for different levels of abuse.
- c)** The response to child-to-child abuse focuses on what is best for both children's development.
- d)** If abuse is committed by an adult, legal steps are taken. Legal assistance is obtained as per need.
- e)** There is clear leadership, with one person responsible for handling information and communication regarding the case. This person is supported by the child protection team.
- f)** Decisions and actions are taken quickly.
- g)** In all abuse cases, an internal investigation is carried out by a neutral person who is not involved in the case. This person presents the findings of the investigation to the child protection team, which makes a decision on further steps.
- h)** Cases are reported to child welfare authorities according to a procedure defined by the organization or the Nepal government.
- i)** A written record of all reported abuse cases and their conclusions is kept safe in the office.

## **7. WHO DOES THE CHILD PROTECTION POLICY APPLY TO?**

Child protection is everyone's business. It is an integrated part of our work and affects everyone in MSN and anyone who comes in contact with our organization. The specific approach is defined by each member association.

***Stakeholder groups Key Message for this stakeholder group • Children and adolescents under 18 years of age • Young adults over 19 years of age living in • You have rights. • Violence is not allowed. • We listen to you!***

MSN facilities • You are a stakeholder too. • We listen to you and take you seriously. • Child and youth-care staff (people who work directly with children): mothers, sister, volunteers and youth leaders • Child development staff: Educators, social workers and psychologists • You get support in positive parenting. You are not alone concerning child to child abuse. • You have support in developing positive and participatory discipline processes. • You play an important role to make sure all stakeholders are involved and the child's view is respected. • Biological families of mothers and sisters • you have support in applying positive and participatory discipline processes. • Teachers and staff in all MSN educational facilities • Staff in family strengthening programs (people work directly with families and children): • You are role models and are listened to. You have support in developing positive and participatory discipline processes. • Administrative and maintenance staff in facilities, programs and secretariat offices • Leaders of other facilities and programs • Founder/Directors • Board members • Visitors and sponsors • Partners of other organizations who work and interact with our organization. • External contractors and consultants who provide services • Protection is everybody's business; you are part of the team.

## **8. SUMMARY**

In the quest to ensure that children in Milijuli Samaj Nepal grow in a safe environment with adults who are committed to safeguarding them. The policy highlights that the wellbeing of children is at the core of our work and reaffirms our commitment to ensuring that all children are protected from all forms of abuse and exploitation.

MSN = Milijuli Samaj Nepal   UNCRC = United Nations Convention on the Rights of the Child

THANK YOU~