

# Rwanda Scouts Association



## Child Protection Policy

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# Child Protection Policy

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## 1. Policy Statement

At Rwanda Scouts Association, we believe all children regardless of age, gender, disability or ethnic origin have a right to be protected from all forms of harm, abuse, neglect and exploitation. RSA **will not** tolerate the abuse of *children* (defined as under the age of 18) in any form.

**It is the responsibility of all leaders of RSA** to raise any concerns you have or any concerns which are reported to you according to this policy. It **is not** your responsibility to decide whether child abuse has occurred.

It is the responsibility of all RSA leaders and volunteers to ensure the delivery of this policy and to promote it as relevant in all aspects of their work, to hold themselves and others to account and to help create a safe environment for all.

## 2. RSA Safeguarding Principles

**RSA will ensure that:**

- a) The welfare of the child is paramount;
- b) Concerns or allegations of child abuse are always taken seriously, investigated and acted on if appropriate;
- c) RSA will seek to safeguard children by valuing, listening to and respecting them;
- d) All leaders, employees, volunteers and other representatives have access to, and are familiar with this policy, and know their responsibilities within it;
- e) All staff receive training on child Protection at a level commensurate with their role;
- f) All staff, volunteers and leaders have access to information about how to report concerns or allegations of abuse, including children themselves;
- g) Our recruitment practices are robust enough to ensure that we will not recruit staff, volunteers or other representatives if they pose a known risk to children's safety or wellbeing;
- h) All leaders and managers are responsible for promoting awareness of this policy within their units, groups, districts, commissions and departments or teams.

### 3. Definitions

#### 3.1. *Safeguarding Children and Child Protection*

Safeguarding is the process of protecting children from abuse or neglect, preventing impairment of their health and development, ensuring they are living in circumstances consistent with the provision of safe and effective care and taking action to enable all children to have the best outcomes. '*Child protection*' is an element of Safeguarding and promoting welfare. It refers to the activity that is undertaken to protect specific children who are suffering or likely to suffer, significant harm.

#### 3.2. *Child*

A child is defined as **anyone under 18 years old**.

This definition is recognized internationally as identifying a population who are particularly vulnerable and require additional safeguards to protect their rights.

The definition of a child for the purposes of Safeguarding and child protection should not be confused with the legal definition of a child or age limits set out in other relevant laws. The fact that a person under the age of 18 may have reached the age of majority, age of sexual consent, voting age or such like does not alter their inherent vulnerability as a child.

#### 3.3. *Young Volunteer*

Anyone who is under the age of 18 years old is classed as a 'Young Volunteer' when they are volunteering for RSA. They can be patrol, unit and/or group leaders.

#### 3.4. *Child Abuse*

Different forms of harm or mistreatment of children are categorized under the broader term "child abuse". Abuse can happen anywhere and at any time, but research shows that the perpetrators of abuse are likely to be known and trusted by the child. The most commonly defined types are:

**Physical:** violence towards or deliberate injury of a child.

**Neglect:** persistent failure to meet a child's basic physical and psychological needs.

**Sexual:** using a child for sexual stimulation or gratification.

**Emotional:** behavior which attacks a child's self-esteem or can result in emotional distress like anxiety, depression or even post-traumatic stress disorder.

**Child Sexual Exploitation:** Children in exploitative situations and relationships receive something such as gifts, money or affection as a result of performing sexual activities or others performing sexual activities on them.

The *UN Convention on the Rights of the Child (1989)* requires states to protect children from abuse.

## 4. Roles and Responsibilities

***Safeguarding children is everyone's responsibility and failure to act on concerns relating to children is not an option.***

RSA Leaders, and ultimately Unit Leaders, District Commissioners and members of all Commissions at all levels hold overall accountability for this Policy and its implementation.

RSA Chief Commissioner and Members of the Board are responsible for reviewing and updating this Policy annually and in line with legislative and organizational developments and hold overall accountability for RSA's Child Protection Policy.

All staff, leaders, volunteers and other representatives of RSA are required to adhere to this Policy and RSA's *Code of Conduct* at all times.

All RSA employees are obliged to report any suspicions of child abuse. Failure to report to a relevant person suspicion of abuse relating to someone else is a breach of RSA's policy, and could lead to disciplinary action being taken.

For the avoidance of doubt, there is no obligation placed on any individual to report any incident that has happened to them.

RSA's Disciplinary Committee, Executive Secretariat and Board of Directors can offer further support to staff, volunteers and other representatives on implementing this Policy.

## 5. Support for Survivors and Victims

Support will be offered to survivors and victims, regardless of whether a formal internal response is carried out (such as an internal investigation). Support can include specialist psycho-social counselling and/or access to other specialist and appropriate support as needed. Survivors and victims can choose if and when they would like to take up the support options available to them.

## 6. Policy Guidance

### 6.1. Contact with Children

#### **RSA Leaders at all Levels Must Never:**

- Fail to disclose any convictions or child related investigations that they are subject to;
- Seek to make contact or spend time with any child with whom they come into contact as part of their work with RSA except as part of the designated activities set out in their role;
- Abuse their position to withhold professional assistance or give preferential treatment, gifts or payment of any kind to a child, or another person in relation to a child, in order to solicit any form of advantage or sexual favor from a child;
- **Have sexual intercourse or participate in any form of sexual activity, including paying for sex, with any person under 18 years old** or under the local age of sexual consent (where higher).

*This applies to all RSA leaders regardless of the age of consent locally and mistaken belief in the age of the child is not a defense;*

- Hit or otherwise physically assault a child irrespective of cultural norms, including as punishment;
- Behave physically in a manner with a child which is inappropriate or sexually provocative;
- Use language or behavior towards children that is inappropriate, harassing, abusive, sexually provocative or that is intended to shame, humiliate or emotionally abuse;
- Use computers, mobile phones, video and digital cameras to exploit or harass children or to access child pornography through any medium;
- Recruit children for any labor which is inappropriate to their age or developmental stage, which interferes with their time available for education and recreational activities, or which places them at risk of injury;
- Do things of a personal nature for a child with whom they come into contact as part of their work for RSA that the child can do for themselves (e.g. toileting, bathing, dressing);
- Share a bedroom with or sleep close to an unsupervised child or children where that child/children are ones with whom they come into contact as part of their work for RSA;
- Visit a child's home alone or invite unaccompanied children into their own accommodation, where that child/children are ones with whom they come into contact as part of their work for RSA;
- Put a child at risk of harm through inaction (including failure to report a concern);
- Condone or participate in any child related activity which is illegal, exploitative, unsafe or abusive; this includes behavior by other children;
- Act in **any** way that may be abusive or put a child at risk of abuse or exploitation.

#### **RSA Leaders at all Levels Must Always:**

- Treat all children with respect regardless of their race, color, gender, language, religion, opinions, nationality, ethnicity, social origin, property, disability or other status;
- **Avoid being placed in a position where they are alone with a child or children with whom they come into contact as part of their work with RSA;**
- Act professionally towards children they interact with in their role, following relevant laws pertaining to working with children, including those in relation to child labor;
- Consider the risk of harm and whether there is any possibility a child may be abused or exploited when assessing the appropriateness of any physical or verbal contact, **including in the design of RSA programmes;**
- Report any suspicion, allegation or witness of child abuse or other breaches of the Safeguarding Children Policy as per the reporting procedures outlined in this document.

## **6.2. Virtual Contact with Children**

Anyone working with or on behalf of RSA must adhere to RSA's guidelines to protect children engaging with RSA through social media. **Social media and technology are evolving rapidly,**

***and it is the responsibility of managers to consider the full range of risks and safeguards required to protect children in the activities that they oversee.***

## **7. Safe Programming**

Responsibility for ensuring this ***policy and its related guidelines*** are applied ***lies with RSA's Chief Commissioner, National Executive Commissioner and District Commissioners.*** However, all RSA staff, volunteers, consultants and partners working with children must take personal responsibility for following this policy.

## **8. How to raise a Complaint or Concern**

Anyone can raise a concern or make a complaint to RSA about something they have experienced or witnessed. You can do this verbally or in writing to your direct Scout Leader or to the HR (or equivalent) or via RSA's Whistleblowing hotlines; email at [rwandascouts.whistleblower@gmail.com](mailto:rwandascouts.whistleblower@gmail.com) and Phone call at **+250789040179**.

For more details please refer to RSA's *Disclosure of Malpractice (whistleblowing) Policy*.

If an allegation is made against you, then you must inform your manager immediately. You should create a signed and dated record of the details as you know them and send a copy of this to HR or your upper level scout leader. All those accused will be treated with respect and all allegations are treated confidentially.

## **9. How to Respond to a Complaint or Concern**

RSA is committed to responding to all complaints and concerns of abuse. The RSA's Disciplinary Committee is responsible for this work, and will be equipped with specialist expertise in prevention, carrying out investigations, and delivering support to survivors of and victims of child abuse.

RSA recognizes that disclosures and suspicion should *always be acted upon swiftly*, and if there is an urgent child protection situation, for example if a child is in imminent danger of abuse, then *immediate protective action must be taken*.

### **What to do if You Have Concerns About a Child's Wellbeing:**

- The first priority is the immediate safety and welfare of the child.
- Keep calm and act normally; do not say or show that you are shocked.
- Do not investigate or question the child. If a child reports abuse directly to you, only ask questions to get enough information to understand the complaint (e.g. 'who, what, where, when' questions, but not 'why' questions).
- Never agree to keep a secret. If a child is in danger you will have to inform others.
- Do not directly challenge parents, guardian or teachers about your concerns.

- Record all the details that support your suspicion and report this in line with internal reporting procedures.

## 10. Confidentiality and Children

RSA staff cannot keep confidences when they involve concerns about a child. Any information offered in confidence to RSA staff or volunteers relating to risks or concerns about a child should be received on the basis that it will have to be shared with the relevant person or people in authority. ***In the first instance this will be a senior RSA manager in your division and RSA's Disciplinary Committee.***

It is the responsibility of all who represent RSA, in whatever capacity, to raise concerns regarding possible or known issues of child abuse or exploitation in projects managed or supported by RSA immediately in line with the procedures outlined below.

## 11. Procedure for Handling Complaints

When a complaint or concern has been raised, it must be referred within 24 hours to RSA's Disciplinary Committee. This can be done on behalf of somebody else and may only involve a suspicion.

### 11.1 Internal Response

Within 72 hours of receiving a complaint or concern, RSA's Disciplinary Committee must convene a case meeting. An email/letter should be sent to the complainant acknowledging the complaint as soon as possible. RSA must refer suspected cases of child abuse to local statutory authorities where possible.

The process for addressing complaints is outlined in RSA's *Procedures for Safeguarding Children*.

***Confidentiality must be maintained throughout the complaints process*** by all staff and witnesses. Scout Leaders or Staff members who breach confidentiality will be subject to disciplinary action up to and including termination of employment or expulsion for scout leaders. In some cases, such breaches constitute breaking the law.

### 11.2. Retaliation Against Complainants, Victims and Witnesses

RSA will act against any scout leader, staff, volunteers or other representatives, whether they are the subject of a complaint or not, who seek or carry out retaliatory action against complainants, victims or other witnesses. Scout leaders or staff who are found to do this will be subject to disciplinary action, up to and including termination of employment or expulsion for scout leaders.

### 11.3. Outcomes of Misconduct

Scout Leaders or employees who are found to contravene this policy will be subject to disciplinary action that may result in dismissal or expulsion. Where possible, RSA will refer suspected cases of child abuse to local statutory authorities and the process and outcome will



be handled by said authority. Volunteers, contractors and other representatives will have their relationship with RSA terminated.

#### ***11.4. False Allegations***

It is extremely rare that staff or other stakeholders are found to have raised allegations which they knew to be false. If a scout leader or a member of staff from RSA is found to have made an allegation that they knew to be false they will be subject to disciplinary action, up to and including termination of employment or expulsion for scout leaders.

#### ***11.5. Complaints about RSA's Partners***

If RSA receives a complaint about a partner organization, RSA will expect the partner to respond quickly and appropriately. RSA should assist the partner to ascertain its obligations under local law to refer the matter to the police or other statutory authorities for criminal investigation.

Where appropriate, RSA should work with the partner to address the issue through an appropriate independent investigation. If the outcome is that child abuse has occurred, ongoing work with the partner cannot involve the individual(s) concerned.

If there is reason to believe that an allegation of child abuse has been dealt with inappropriately by a partner, then there is risk of ending the relationship (including networks and consortia).

#### ***11.6. Receiving External Complaints and Concerns***

Complaints raised from outside the organization should be referred to RSA's Disciplinary Committee and must adhere to RSA's policy and procedures as outlined in this document.

### **12. Safe Recruitment**

RSA is committed to recruiting scout leaders, staff, volunteers and other representatives safely. All application forms, interviews and references must address Safeguarding and equality requirements and attitudes in line with the *Recruitment Policy*.

Recruitment for all applicants to roles supervising young volunteers or working directly with child beneficiaries must follow RSA's *Child Protection Policy*, particularly that:

- All applicants must be asked ***to disclose all criminal convictions*** in keeping with the parameters of local employment law;
- We are not able to offer volunteering opportunities to anyone with spent or unspent convictions for sexual offences or any form of child abuse;
- ***Legitimate registers must be checked*** to establish whether applicants are a known risk to children;
- Applicants should not start work until ***reference checking and checking of legitimate registers*** have taken place

### **13. Use of Personal Data about Children**

- Research with children must be in line with RSA's *Child Protection Policy*. RSA representatives must consider how to protect a child's identity, how to share and store such content and how to achieve "informed consent".
- Disputes about the use of child images must be raised to the Disciplinary Committee.

### **14. Training**

All RSA scout leaders, staff and representatives must receive training on Child Protection commensurate with their role. This training will be carried out by specialists on a regular basis and will include information about RSA's policy positions, reporting and investigation procedures and how to embed Child Protection in RSA's work.

Overall responsibility for ensuring that scout leaders and staff receive regular training and messages about Child Protection lies with all RSA Leaders.

Children require training to ensure that their capabilities and competencies are at a level where they can operate without putting themselves and/or others at risk.