



**August 2012**

## **COFA FOUNDATION CHILD PROTECTION POLICY**

### **1. General**

#### **1.1 Application**

These standards, having been carefully considered and adopted shall apply to all COFA board members, staff, volunteers, interns, sponsors, consultants, advisors, official guests of COFA, representatives of partner/network organizations, and international and governmental partners ( hereinafter referred to as Stakeholders) who by virtue of their work come into contact with children.

#### **1.2 Definition of "children"**

The term "child" or "children" shall include all persons under the age of eighteen (18) years.

#### **1.3 Policy Statement**

- The primary goal of this Child Protection Policy Document (hereinafter called "the Policy") is to serve the needs and protect the well-being of children who come into contact with COFA Stakeholders from time to time and in the course of their work. The underlying principle or standard governing any decisions to be taken involving a child shall be the principle of the best interest of the child. The policy takes into consideration the following among others, relevant international instruments and national legislations related to children:
- The United Nations Convention on the Rights of the Child;
- Optional Protocol to the United Nations Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography;
- Nations Convention on the Rights of the Child on the Rights of the Child on the Involvement of Children in armed conflict;

- ILO Convention concerning the prohibition and immediate action for the elimination of the worst forms of labour
- The 1992 Constitution of Ghana,
- The Children's Act, 1998 (Act 560)
- Juvenile Justice Act, 2003 (653)
- Persons with Disability Act, 2006 (715)
- Domestic Violence Act, 2007 (Act 732)
- Anti-Human Trafficking Act, 2005 (Act 694)
- Criminal and other Offences Act, 1960 (Act 29)

COFA-Foundation strives to design and implement programs that protect children from abuse, neglect and exploitation working on the various legislations in place locally and at the international level to ensure that the programs implemented impact policy to bring about tangible results that are measured by success stories and the passing of further legislation where necessary. In addition, COFA provides training and advocacy which helps stakeholders and the general populace to know the laws in place and hence identify any form of exploitation against children for action. In this respect, COFA-Foundation supports, protects and/or promotes the welfare of children subscribing to all having equal rights to protection.

To this end, all stakeholders shall:

- Contribute to an environment where children are able to recognise unacceptable behaviour and be able to discuss their rights and concerns;
- Raise concerns about any case of suspected abuse in accordance with applicable procedures

All Stakeholders should:

- ❖ Familiarise themselves with situations which may present abuse or neglect and be alert of such situations;
- ❖ Be alert to the risks which individual abusers, or potential abusers may pose to children;
- ❖ Share and help analyse information so that an assessment can be made of the child's needs and circumstances;
- ❖ Contribute to whatever actions are needed to safeguard and promote the child's welfare;
- ❖ Take part in regular reviews of this Policy;

- ❖ Work cooperatively with parents unless this is inconsistent with ensuring the child's safety

## **2. Recruitment Process**

### **2.1 Pre-employment procedures for paid and volunteer workers**

It is the goal of COFA to adequately screen the applications of persons desiring to work with children participating in all programs, including participants in any daily or temporary childcare programs.

### **2.2 References**

The Management Team must check and document at least two (2) references for each primary worker applicant and must conduct a reasonable inquiry into the character of secondary worker applicants. References may be checked by phone, mail or in person.

Whenever possible, the two references should include:

- a person who has known the applicant for an extended period;
- a former supervisor
- Staff will be given a copy of the COFA Child Protection Policy and Code of Conduct and will be asked to sign a document certifying that they have read it and agree to abide by its contents and that there is no reason why they would be considered unsuitable for working with children/young people.
- Where short term contracts for staff are awarded for particular pieces of work, a clear job description is developed outlining the responsibilities of the job and the reporting procedure;
- The applicant must supply information of previous, recent experience, particularly all experience relating to working with children/young people;

### **2.3 Training**

All staff of COFA will be expected to participate in relevant training from time to time. Those working directly with children/young people must have received some training on the issue of child protection.

Where young people, under 18 years, are assisting in the work of the COFA, they will receive appropriate information on COFA Child Protection Policy and national child protection policy at a level suitable to their age and experience. These young people will always work in partnership with or under the supervision of an adult.

Induction training for any new staff will include training on COFA child protection policy.

### **3. Child Abuse and Neglect**

#### **3.1 Definitions**

- Physical abuse – This may be read in accordance with the Domestic Violence Act, 2007 (Act732) to include hitting, poisoning, burning, frowning, suffocating or otherwise causing physical harm to a child. This can be evidenced by physical scars or traces of same for all to see.
- Emotional abuse - an attack on a child or young person's self-esteem e.g. through bullying, maltreatment, name calling, threatening, ridiculing, intimidating or isolating the child.
- Sexual abuse - any sexual act or sexual threat imposed on a child or young person. This may include non-contact activities such as involving children to watch or in the production of pornographic material or encouraging children to behave in sexually inappropriate manner.
- Neglect - where a child or young person is harmed by the failure to provide the basic physical or emotional necessities.

#### **3.2 Dealing with disclosure of abuse**

COFA values and encourages the full participation of children and young people in many aspects of our work and we strive to ensure that the experience of the child/young person in our work is a happy and productive one. In the event of a child/young person disclosing an incident of abuse it is essential that this is dealt with sensitively and professionally by the staff member/volunteer involved.

The following are guidelines to support the worker/volunteer in this:

- React calmly;
- Listen carefully and attentively; take the young person seriously;
- Reassure the young person that they have taken the right action in talking to you;
- Do not promise to keep anything secret;
- Ask questions for clarification only. Do not ask leading questions;
- Check back with the child/young person that what you have heard is correct and understood;
- Do not express any opinions about the alleged abuser;
- Record the conversation as soon as possible, in as much detail as possible. Sign and date the record;
- Ensure that the child/young person understands the procedures which will follow;
- Pass the information to the Supervisor, do not attempt to deal with the problem alone;

- Treat the information confidentially.

### **3.3 Reporting policy**

It is the policy of COFA to report any incident of child abuse or neglect toward any child in the camp. This would include participants in temporary childcare programs.

- Do not treat any suspicion as frivolous.
- Notify your supervisor immediately.
- Commence the investigation right away.
- The Supervisor should suspend the accused person from the performance of duties involving children until the official investigation has been completed.
- Cooperate fully with law enforcement officials.

The Management Team will inform victim and victim's family of the steps that are being taken, and continue to keep them advised of the status of the investigation.

If child abuse is confirmed, ask the victim and the victim's family what action they would like to take in the matter and fully cooperate to address their requests within the bounds of a legal and prudent response. (COFA legal counsel should assist in this determination.)

In an instance where child abuse is confirmed, COFA will immediately dismiss the worker from their position and the matter reported to the Domestic Violence and Victim Support Unit or nearest police station. Termination will be considered appropriate in the circumstances.

In instances where evidence is inconclusive, COFA should take action with the advice of legal counsel in consultation with law enforcement officials depending on the strength of the evidence available and after consideration of the victim and the victim's family's requests.

### **3.4 Reports required**

Any worker of COFA who has cause to believe that a child's physical or emotional health or welfare has been or may be adversely affected by abuse or neglect shall report that belief according to the following procedure:

- a. The worker shall report such belief to the Management Team.
- b. The Management Team immediately report to the Department of Social Welfare or any local law enforcement agency.
- c. The Management Team will notify the parents of the child (unless the parent is the person responsible for the abuse or neglect).

### **3.5 Incident report**

The person making a report should identify:

- a. The name and address of the child.

- b. The name and address of the person responsible for the care, custody, or welfare of the child.
- c. Any other pertinent information concerning the alleged or suspected abuse or neglect. All reports of child abuse or neglect shall be held in absolute confidence. No person shall communicate any information concerning the alleged event to any person except as necessary to cooperate with any official investigation. Any breach of this confidentiality by an employee of COFA shall be cause for immediate dismissal. The Board may authorize limited additional disclosure if necessary to protect other children from harm in the near future, particularly where the person responsible for the abuse cannot be identified, but in no case shall the identity of the victim or the accused person be disclosed except as required by law.

### **3.6 Investigation of alleged abuse or neglect**

No person shall attempt to conduct a detailed investigation either through examination or interrogation of the child, the accused person or a witness. It is acceptable to obtain a reasonable amount of information to have cause to believe a child has been abused or neglected. Interviews shall be conducted only by authorized officials of the Department of Social Welfare to whom the suspected crime has been reported or, when appropriate, by persons representing COFA in an official capacity. All employees and volunteers of COFA shall cooperate with the official investigation as requested.

### **3.7 Action To Be Taken When An Allegation Is Made Against A Staff Member**

Where an allegation of abuse is made against an employee of COFA, there are two procedures that COFA will put in place:

- The reporting procedure in respect of the child;
- The procedure for dealing with the employee.

In the case of the allegation being against an employee of COFA, the same person will not deal with both the young person and the alleged abuser. Employment/contractual issues will be dealt with separately. The Supervisor will follow the normal reporting procedure. It will be the responsibility of the Management Team of COFA to deal with a staff member against whom an allegation has been made.

If there is an allegation or suspicion in relation to the Supervisor, a member of Management will deal with all aspects of the case, including the reporting procedure.

If an allegation is made against an employee of COFA the following steps will be taken:

- The Management Team of COFA will deal with all aspects of the case relating to the employee.
- The allegation will be assessed by the Supervisor to establish if there are reasonable grounds for concern and whether a formal report will be made to the statutory authorities, at this point.
- The safety of the child is the first priority of COFA and all necessary measures will be taken to ensure that the child is safe. The measures taken will be proportionate to the level of risk.
- COFA will ensure that no other children/young people are at risk during this period and will inform other relevant agencies or parents/carers as appropriate.
- The measures which can be taken to ensure the safety of children and young people can include the following: suspension of duties of the person accused, re-assignment of duties where the accused will not have contact with children/young people, working under increased supervision during the period of the investigation or other measures as deemed appropriate.
- If a formal report is being made the employer will notify the employee that an allegation has been made and what the nature of the allegation is. The employee has a right to respond to this and this response should be documented and retained.
- COFA will ensure that the principle of 'natural justice' will apply whereby a person is considered innocent until proven otherwise.

In the case of an allegation being made against a volunteer the Supervisor will deal with the issue as outlined in the steps above.

#### **4 Activities involving Residential Programmes**

Where the activities involve staying away from home a number of additional concerns need to be taken into account. In all cases of residential work with young people, COFA follows the guidelines below:

##### **4.1 General guidelines**

- Adequate and safe transport arrangements will be made;
- Parent/guardian consent will be obtained for each participant, prior to the trip, including information on each participant about the following:
  - Contact details of parent/guardian and another person named by the parent/guardian in the event of the parent/guardian not being available in an emergency

- All relevant medical information for the participant and consent for medical intervention, if necessary
- Any special needs which the participant may have, including diet, medical needs, support needs, etc;
- All relevant information including contact details, allergies, medicines, dietary needs etc. for the child or young person will be kept with a leader/staff member on the trip.
- Parents/guardians will be fully informed of the programme or timetable for the event and will receive a copy of the programme;
- Parents will be given full contact details of the centre/institution/accommodation and also of the staff member in charge of the event;
- COFA will ensure that the physical surroundings are safe, comfortable, accessible and appropriate for the work being undertaken;
- There will be an appropriate ratio of adults to young people at the event – this may vary depending on the age and ability of the group involved;
- There will be appropriate gender based supervision for the event;
- Accommodation will be provided in single sex rooms, and dormitories will not be shared with non-group members;
- COFA will have a system in place for recording any accidents or incidents while in the care of COFA;
- One staff person will be designated as the 'Supervisor' for the event and parents/guardians and participants will be given contact details of this person. All complaints, concerns, etc should be directed to this person (with the exception of complaints in relation to the safety and welfare of the children/young people).

#### **4.2 Observation of children**

Camp activities for children should be scheduled in areas visible from adjoining areas. Such visibility will be maintained by leaving curtains and blinds open and, wherever possible, by leaving the door to the room open. Reasonable exceptions to this rule may be made by Management where seclusion is necessary for rest provided two unrelated workers are present in the room at all times.

#### **4.3 Code of behaviour for events**

- All stakeholders will show respect and understanding for the children/young people involved;
- Inappropriate behaviour/language will not go unchallenged;

- A list of 'ground rules' will be drawn up for each event, with the participation of the children/young people and these will be distributed to all participants and will be agreed to, prior to the event. The ground rules will be displayed in the meeting rooms during the event;
- The privacy of the participants will be respected at all times and particularly in dormitories, changing rooms, showers and toilets;
- Participants should be encouraged to report to a staff member any cases of bullying and the Supervisor must be made aware of this;
- Stakeholders should avoid showing favouritism towards any one participant and should ensure that the relationship is constructive and aims to build the independence and autonomy of the participants.

#### **4.4 Keeping Parents and Guardians Informed**

COFA will keep parents and guardians informed of all aspects of the programme that their child is involved in. It is our policy to share information relating to the programme of activities, trips away, transport to and from events, etc. with the parents/guardians. It is our practice to inform parents/guardians first in the event of a child disclosing an incident of abuse, unless this could put the child in danger.

#### **4.5 Travel and Vehicle safety**

Persons who drive COFA students owned or privately-owned vehicles for transporting children on a regular basis must maintain a current valid Ghanaian driver's license, provide proof of insurance in such amounts as may be required by COFA and comply with all other transportation policies.

Where COFA arranges for transport by taxi for children/young people, COFA will request consent from the parent(s)/guardian(s) which will indicate an agreed pick-up and drop-off point.

In the case where a child/young person travels with a member of staff of COFA to a meeting or an event, COFA will be responsible for the welfare of the young person while travelling and while at the event. This includes travel abroad. In these instances, parental consent forms must be completed by parents/guardians and a record must be kept of the emergency contact numbers supplied.

#### **4.6 Dealing with Challenging or Disruptive Behaviour**

Staff who deals directly with children and young people will be given guidance and support in dealing with difficult behaviour. COFA ensures that the safety and welfare of the children and young people is a priority and that staff will deal sensitively and professionally with any difficult issues that may arise. Where instances of challenging or disruptive behaviour occur with children/young people, a record will be kept of this where the instance requires the intervention of a worker or volunteer or where the safety and wellbeing of others are at risk. In a case of such behaviour, two workers/volunteers should be present in dealing with the situation. Staff members who are present at the time, should complete the incident/accident report form.

The report of the incident should include:

- The programme or activity which was happening at the time;
- Date of Incident;
- A record of what happened;
- Details of who was involved;
- Details of where and when it happened;
- A record of any significant comments;
- A record of any injury to person or property;
- Details of how the situation was resolved or left.

#### **4.7 Review of Child Protection Policy**

At any time, this document can be reviewed and revised with approval of the Board when deemed necessary. All stakeholders shall be informed about any changes made in this document.