

CHILD PROTECTION POLICY



KEBENE FAMILY

CHILD PROTECTION POLICY

Introduction

Kebene Children Home was formed in 2007, the name stands for Kenya, Belgium and Netherlands. Kenya is where the home was established and the founders come from Belgium and Netherlands. Kebene is in Kwale county, Msambweni sub county. Kebene has two main projects that is the Kebene children home and the Kebene Young mothers project.

The Kebene Children home is located at Mvindeneni while the Kebene young mothers is located next to Diani Airstrip. our mission is to provide support to orphans, teenage young mothers and vulnerable children in clean, safe and secure environment that will give them a chance to excel in life.

Definitions

Child: Any person below the age of 18 years as per the constitution of Kenya.

Child protection: They are measures taken to prevent and respond to abuse, neglect, exploitation and all others forms of violence against children.

Child protection incidents:

- Refers to gross violation of child rights to protection from physical, sexual or psychological abuse, neglect, or other forms of violence- including trafficking, sexual and labour exploitation, female genital mutilation and early marriage
- Any violation of the Kebene child protection policy and standards which puts children in direct risk of harm.
- Any death or serious injury of a child that is under institutional care or while participating in a Kebene activity or caused by Kebene staff, volunteer, intern, consultant, visitors, partner or sponsor

Child abuse: is defined as deliberate act of ill treatment that can harm or is likely to cause harm to a child's safety, wellbeing, dignity and development. Abuse includes all forms of physical, sexual, psychological or emotional ill-treatment.

Sexual Abuse: is defined as all forms of sexual violence including incest, early and forced marriage, defilement/rape. Involvement in child pornography and sexual slavery. Child sexual abuse also includes indecent touching exposure, using sexually explicit language towards a child and showing children pornographic material.

Physical abuse: it is intentional and unreasonable use of violence or force on a child which may result physical injury of child. This includes and not limited to hitting, burning, caning, biting, cutting among others.

Emotional abuse: this is any harm to child intellectual functioning which includes and not limited to humiliation, in caring attitudes, absence of praise, ridiculing, denial of time to play, scolding or rebuking child in manner that demoralizes the child etc.

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Child exploitation: Is defined as the use of children for someone else advantage, gratification or profit that often results in the unjust, cruel and harmful treatment of the child. These activities are to the detriment of the child's physical and mental health education, moral or socio development.

Neglect: this is derivation of child basic needs such as food, clothing educational medical care, parental/guardian care and love.

Sexual exploitation of children: is the abuse of position of vulnerability, differential power or trust for sexual purposes. This is usually done for the purposes of profiting monetarily, socially or politically as well as for personal gratification. Examples include child prostitution, trafficking of children for production and sale of pornographic materials placing their images on pornographic websites.

Child trafficking: Is defined as the giving out of children for monetary gain. Children who are trafficked may be used for child labor, to traffic drugs, for commercial sexual activities. Pornography production and for scientific experimentation. In some instances, trafficked children are offered for adoption to unsuspecting adoptive parents.

Bullying: is any action or statement that causes psychological or physical displeasure to a child.

Child labour: refers to work that is mentally, socially or morally dangerous and harmful to children and interferes with their growth and schooling. Such actions but not limited. Slavery, sexual exploitation, hard work and other tasks that are beyond the mental and physical stages of the child.

Child labour for economic gain: is the involvement of children in work for the purposes of bringing an income to CCI or a way of a CCI avoiding spending money on certain activities by using children to perform such activities. Child labour should be differentiated from the life skills training where children are taught to undertake activities that will improve their ability to care for themselves and their surroundings. These type of life skills activities should be appropriate to a child's age and their individual activities. Example of child labour may include: use of children in fundraising such as begging in the streets, appearing on the websites as destitute children, involvement in farm activities that bring commercial gain to the home.

Harmful cultural practices: are cultural activities that impact negatively on a child's physical, emotional and behavioral development, their general health, his/her family and social relationships, self-esteem, educational achievements and aspirations. Kebene children home shall protect all children in their care against harmful cultural practices.

1.0 PREAMBLE

The policy is intended to enable Kebene children home to be safe place for children by creating preventative and responsive child protection programming, guided by the four principles of united Nation convention on children rights. Right of every child to survival and development, participation, non-discrimination and best interest of a child, children act among other legal frame works, we seek to enable fulfillment of children rights to protection from all forms of abuse and violence within the institutions, families, school and communities.

This policy is binding to Kebene children home staff, visitors, volunteers, board members and other parties afflicted to the children home. They must acknowledge in writing the receipt and understanding the policy and the signed agreement are kept on the file by the relevant office.

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1.1 Objectives of this policy

1. Making aware of child abuse to the children, staff, volunteer, management, sponsors and other stakeholders coming into contact with the children home.
2. Making children aware of their rights and their role in child protection
3. Preventing cases of child abuse and reducing number of incidences (child-child, child-adult) in children home and other programme.
4. Informing children, staff board members, families and community, volunteers, sponsors/partner about child protection policies and set procedures for creating awareness, protection reporting and responding to child abuse.
5. Ensuring that all staff are working conducive condition needed to contribute to each child's development and protection
6. Putting in place fair and transparent reporting channels that guarantee all the stakeholders the right to be heard.

2.1 Awareness

2.2.1 Kebene will endeavor to equip all the staff, board, donors, visitors, volunteers and other affiliated to children home to understand and perform their child protection responsibilities and obligations.

2.2.2 Kebene will endeavor to regularly train staff on, what is child abuse and forms of abuse, signs and symptoms of child abuse, and procedure of responding to child abuse, how to handle children that that have been abused or allegation made of abuse, how use positive disciplinary measures

2.2.3 all children will be made aware of what is child abuse, different type of abuse, how to protect themselves and respond in event of abuse occurring. There shall be regular teaching session with all children on concept of good touch, how to say No to abuse, clear procedure teaching children who they should talk to incase abuse. How to express them appropriately as well as age-appropriate sex education among others life skills.

2.2.4 all contracts with staff, consultants, volunteers and other people affiliated with Kebene shall include an attached copy of the child protection behavior protocol/policy as well as giving assurance that they will act in best interest of children and uphold Kebene child protection behavior protocol and other child protection measures as requested and any knowledge of harm or risk to children one will inform Kebene management immediately.

2.2.5 All children's home staff, intern, volunteers board members as well as those with contracted responsibilities expected to include interaction with or access to children or children data, acknowledge in writing the receipt and understanding of children home protection standards/policy.

2.3 Child protection Focal Person

Kebene children home shall have a children protection focal person appointed by the management and made known to the area sub county children officer. He or she will be expected to do the following.

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1. To receive information cases of child's abuse, exploitation and discrimination and ensure that additional information to the case is sought as appropriate
2. To check that every staff member has received orientation on child protection practice upon employment.
3. To assess child protection risks and bring these to the attention of the management.
4. To ensure that all child protection concerns are recorded on the incident complaint form and filled in the child's or staff file as appropriate.
5. To check that all children aged 4 and above have received instruction on child protection (how to stay safe and how they voice out the abuse in case it occur.
6. To follow up and ensure that formal referrals are completed appropriately for each case.
7. To maintain contact with relevant persons in the Sub county that is concerned with child protection issues e.g. the Sub county children officer, police etc.
8. Provide support and advice to all members of staff within the setting regarding child protection concerns.
9. The child protection person shall have mandate for direct access to the director, board and Sub county children officer and due to the strategic and confidential nature of the responsibilities.

2.4 Recruitment

2.4.1 Kebene Children Home

Shall exercise due diligence to in screening all candidates for staff, intern, volunteers board members and independent contractors/consultants

2.4.2 Background checks: candidates for staff, board members and intern, volunteers whose contracted responsibilities will be expected to include interaction with or access to children or personal child information have an identification check and criminal record/ police background check prior to employment and periodically thereafter as required by the Kenyan law. People with past conviction or crime against children shall not be hired.

2.4.3 At the point of employment children home staff will provide evidence of application for certificate of good conduct which must be produced within 60 days' period. failure to avail the certificate within this period may lead to termination.

2.5 Visitors/ sponsors/ Donors/ volunteer

2.5.1 All interaction between donors/ sponsors/ volunteer and children must be accompanied by employees at all times. The employee will be responsible for ensuring that the children are protected from inappropriate activity.

2.5.2 The home shall maintain a daily register of all the visitor who visit the institution and visitors can only be allowed to interact with the children after being approved by the director or his/her designate.

2.5.3 Only well- known guardian or relatives of the children will be allowed to visit the children in the institution. Any other person who may claim to be guardian or caregiver of the child and not known to the office will be required to produce an introduction letter from the Sub county children officer

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2.5.4 Any visitors will be required to abide with the set child protection standard of the institutions.

2.6 Communication – Awareness, empowerment and prevention of harm.

2.6.1 The children home will ensure that in all forms of communication, children are treated and portrayed with dignity and not as helpless or in sexually suggested poses.

2.6.2 All photos, stories and video and other communication activities and materials will put the best interest of children as top priority and comply with the points

- The children home, staff, visitor's volunteers and partners are sensitive and do not exploit child vulnerability at times of trauma or grief and always assess how the communication could impact the safety, well-being and rights of the child.
- Children are portrayed with dignity and not a helpless victim.
- Children are adequately clothed and not in sexually suggestive poses.
- Materials do not identify child or person of any age as sexually abused or person medical condition (including HIV status) without the express consent from caregiver.

2.6.3 Children who are primary subject of text photo and or video resource gathering by the children's home staffs, visitors and partners must provide informed consent. **Informed consent means** the child has general understanding of the purpose of the reporting or photography and gives verbal or written permission there –of.

2.6.4 Informed consent is required in all situations to avoid doing harm. Written permission is required from children and parents or legal caregiver or other individual or entity as required by the applicable Kenyan law when information or personal disclosure in photo, video or story: clearly identifies and provides personal information such as full names and location about a particular child or adult.

2.7.4 Materials related to the child or the children home in general can only be posted in the internet, social media or digital technology with consent from the Children's home Director and with authorization the materials should not carry child or family name, child personal information and location or address etc.

2.7.5 Personal child information that is captured stored or sent through electronic, online or mobile devices is either password protected and or encrypted.

- Responses to violations of communication, social media and digital technology standard based on motivation behind incident and the magnitude of risk and severity impact on children. The investigation may result in legal in action and:
- Discipline up to and including possible termination of employment for staff or engagement of intern, volunteer or contractor, sponsor
- Possible termination of sponsorship / assistance if child, family/ guardian / sponsors breach these standards.

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2.8 Behavior[protocols]

These rules of behavior are aimed at protecting children and are based on local and culturally appropriate interactions with children and in compliance with the following Kebene behavior protocols.

2.8.1 Acceptable behavior:

All involved staff, volunteers, interns, contractors/ consultant, board members, visitors and sponsors will be required to observe the following:

1. In case of being alone with the child the door of the room open should be kept open.

Children should not be permitted to enter any staff member's / volunteer private rooms;

2. Counseling or disciplining children should be done in approach place preferably a location where there is see- through doors.
3. Careful usage of language, action and relationship with children and their behavior demonstrate a respect for children and their rights.
4. Are always accountable for their responses to a child behavior even if a child behaves in sexually inappropriate manner: adults avoid being placed in a compromising or vulnerable position with children where possible and practical, follows the two adult rules in supervision of all activities that involve children and staffs are visible and present at all times.
5. Comply with children protection related investigation (internal and external) and make available any documentary or other information necessary for the completion of the investigation.
6. Ensure that all physical contact with children is locally appropriate.
7. Use positive, non- violent methods to manage children's behavior.
8. Accept responsibility for personal behavior and actions as a representative of the organization.

2.8.2 Unacceptable behavior

All the children's home people within and outside their work environment do not:

1. Behave inappropriate physical manner or develop a sexual relationship with a child in accordance with the Kenyan law.
2. We recognize that appropriate physical touch by caregivers is important in a child's development. It is important however, that staff avoids any appearance of inappropriate behavior. Fondle, hold, kiss, hug or touch children in an inappropriate behavior. Fondle, hold, kiss, hug or touch children in an inappropriate or culturally insensitive way.
3. Allow sitting of a child in the center of the one's lap.
4. Have a seductiveness or suggestive contact: - physical contact of any kind which is done for the pleasure or satisfaction of caregivers/ volunteer, intern.
5. Any touch used to express power or control over a child, except hold/ restraints that are used to prevent a child from hurting himself/ herself or others.
6. Denial of basic need hit or use other corporal punishment against a child as form of punishment while the child is in a home care or person is conducting home work.

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7. Take a child/ children alone in a vehicle outside work unless is absolutely necessary and with guardian and managerial consent.
8. Employees should not hire children as workers unless it is within the best interest of the child and in alignment with local law as an international standard.
9. Condone or participate in behavior with children who are illegal, unsafe or abusive; including harmful traditional practices, spiritual or ritualistic abuse.
10. Spend excessive or unnecessary time alone with a child/ children, away from others or behind closed doors or in a secluded area.
11. Use language, make suggestion or offer advice which is inappropriate or abusive including language that causes shame or humiliation or is belittling or degrading.
12. Use money or other gifts to a child/ children or providing special treatment to particular child or children as this amount to discrimination of particular children to the exclusion of others.
13. Not to use any computers, mobile phones or video and digital cameras inappropriately and never exploit or harass children to access child pornography through any medium.
14. Use of alcohol, cigarette, or any drug substance within Kebene premises or when accompanying children outside the children's home.

There should be rules and regulations that prevent child – on –child abuse examples include:

1. No more than one child is allowed into the same toilet cubicle at any one time;
2. Two or more children of same gender or opposite should not be allowed to lie in or on the same bed together.
3. Children of opposite gender should not sleep in the same cubicle or dorm.
4. There should be adequate supervision of all enclosed areas: children living quarters, bathrooms etc.
5. Room or facilities not in use by children should always remain locked.

2.8.3 Corrective action

2.8.3.1 Failure to follow children home behavior protocol or other inappropriate behavior toward children is grounds for discipline up to and including termination of the working relationship or dismissal from employment, volunteer ship, internship or board membership.

3.1 Reporting and responding to child protection incidents

3.1.2 There shall be a designated child protection focal person (Child Protection Officer) appointed by the organization to whom child protection concerns will be reported. However, depending on the level of concern, an informant/child may report any complaints to a person they feel free with. E.g. house mother or house father, social worker, manager, teacher, Director etc.

3.1.3 Any adult who withhold information or cover up any kind of abuse may be considered an accomplice.

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When the occurrence of child abuse by member of staff is suspected the following procedures will be followed.

1. Anyone who suspect child abuse is taking place will discuss with child protection focal person who shall record concerns immediately by filing in the incident complaint form within 24 hours. Write down exactly what the child has said and record the dates and time the record was made.
2. The child protection focal person will contact the Director within 24 hours and the two will develop an action plan which includes setting up a small committee of three or more persons to investigate the alleged abuse.
3. Should an allegation be made against any of the two, (Children Protection Focal Person or Director)? One in consultation with local board shall appoint someone to oversee investigation.
4. The accused must be relieved of all duties or contact with children until investigation is completed.
5. All procedures followed in handling in the allegation will be documented. Factual elements of an investigation may include; interview notes, witness statement, medical report, recorder tapes, and photo. All this documentation should be kept securely locked away.
6. If the committee considers the member of staff, or volunteer to be guilty of abuse, appropriate action, up to and including dismissal and legal action will be determined and implemented. A plan to provide child with any necessary support including counselling as appropriate will also be developed and implemented.
7. The Director or Child Protection Focal Person may as appropriate, notify the parents, guardians of the children who are involved in alleged abuse and inform them of necessary step taken by the home.

When the occurrence of child abuse by child towards another child is suspected the following procedures will be followed:

1. Anyone who suspects child abuse will discuss with Child Protection Officer or Director the situation he or she has observed within 24 hours.
2. The Child Protection Officer will contact the Director within 24 hours and the two will develop an action plan to respond to the matter developed by Child Protection Officer and Director and implemented immediately.
3. A plan to provide child with any necessary support including counselling as appropriate will also be developed and implemented.
4. If the child is found to be guilty of abuse, immediate and appropriate action will be taken. This course of action will depend on the following factor:
 - The nature of the offence.
 - The age of child.
 - The behavioral history of child.
 - The likelihood of the offence being repeated.
 - Strict confidentiality about both victim and alleged perpetrator will be maintained at all times.

N/B In case of sexual abuse the Kebene management ensures that;

- The child is taken to a health facility for medical care within 72 hours after the abuse.
- Preserve the evidence – don't bathe the child, wrap any clothing if not worn with appropriate paper i.e. newspaper (never use polythene/plastic)

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- Report to police and Sub County Children officer immediately so that investigation is initiated within 24 hours of the reported abuse and that all legal actions are taken against the abuser as stipulated in the Sexual Offences Act, 2007. Obtain P3 form from police that should be filled by the government medic who examined and treated the child.
- Protect the child from having further contact with the alleged abuser.
- All details of the abuse and action taken are recorded and filled in child file.

N/B it is important to handle all case internally until all the investigation is complete: don't go to media with no established facts.

4.0 Missing of child from Kebene children home.

Kebene management will ensure there is enough security that offer children with safety and protect them from intruders. The children shall not be left unattended or unsupervised at all times.

In case of missing child, the Kebene management will report to the police and Sub county children officer within 24 hours and details of OB number are recorded in Child's File.

The family, relative and friend of the child will be informed accordingly and details of the incidents and action taken to trace the child must be filed in child file.

4.1 Personal care of young children and room searches.

- Children should receive personal care from staff of the same sex so as to avoid possible abuse. Staff of opposite sex from that of the child must never be involved in personal care of that child.
- The home will respect privacy of child to an extent and room searches should be conducted by staff of the same sex as the child and in a dignified manner.
- The home should have separate bedroom of children of different gender, age and the bedrooms are restricted areas for strangers and people of opposite sex.

4.2 Welfare and development.

Kebene will ensure the welfare of children in relation to medical care, shelter, food, clothing, safe drinking water, education and reintegration of child back to family is provided as per individual care plan of the child.

4.3 When a child gets pregnant in Kebene.

When sex education is offered in schools, Kebene shall ensure that there are efforts to provide children with extra sex and life skills education appropriate to their age. This should include education on the consequences of early sex, sexually transmitted diseases, self-awareness among others.

If a child gets pregnant while in Kebene, the Management will ensure that:

- The case is reported to the children officer for appropriate advice to be given.
- The child is treated in a humane, dignified and respectful way (best interest of the child and the other child)

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- The pregnant child attends to all antenatal and post natal services.
- That the safety of both the mother and the baby are assured and that their rights as children are guaranteed.
- The child will continue with her education after giving birth.

If the child got pregnant by an adult from the children home or in the community, the children home should initiate the normal legal procedure including reporting the case to the Sub county children officer and the police.

If the child got impregnated by a fellow child, both the boy and the girl should be counselled or rehabilitated as appropriate in consultation with the Sub county children officer.

Circumstances surrounding the pregnancy and what takes place thereafter will be recorded and filed in the child file.

4.6 Risk assessment policy

Kebene provide training to all staff and children on disaster prevention, preparedness and response. All staff should be aware of possible emergencies relating to; disease outbreak, fire, earthquakes and collapsing of building among others.

4.7 Safe child participation

Kebene shall work to empower children as citizens and participants in their own well-being and to minimize any risk of harm or negative consequences resulting from participation in activities promoted by the home.

Children should not be misused in fundraising activities i.e. participating in street shows, begging or missing school to do work in Kebene or substituting staff with children.

When visitors visit Kebene, children will be free to take them around the facilities where they feel ok as well as choosing whether to entertain them or not by singing, reciting poem etc.

SIGNATURE FOR ADHERANCE:

I _____

HAVE COMPREHENSIVELY READ AND UNDERSTOOD KEBENE CHILDREN HOME CHILD PROTECTION POLICY AND BEHAVIOUR PROTOCOLS.

I DECLARE THAT I PERSONALLY HAVE OR HAVE NOT BEEN ENGAGED IN CHILD ENDANGERMENT. IF you have ticked 'have' please *include clarifying comments here*:

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I DO PROMISE TO ABIDE BY THE EXPECTED BEHAVIOUR PROTOCOL OUTLINED IN THIS DOCUMENT AND THAT WHICH IS CULTURALLY ACCEPTABLE EVEN IF THIS DOCUMENT COULD BE SILENT ON IT.

IF I DO NOT UNDERSTAND ANY SECTION OF THIS POLICY, I WILL SEEK CLARIFICATION FROM THE DESIGNATED CHILD PROTECTION LEAD SO THAT I AM VERY CLEAR ON EVERY ASPECT OF IT.

THE CHILD IS VERY IMPORTANT TO KEBENE CHILDREN HOME AND COMMUNITY AND SHOULD BE PROTECTED BY ALL. I DO PROMISE TO PROTECT THE CHILD ON MY PART BY MY CONDUCT, LANGUAGE AND ALL ELSE THAT IS WITHIN MY MEANS TO DO SO.

I SHALL ALSO NOT HESITATE TO NOTIFY THE DESIGNATED CHILD PROTECTION FOCAL PERSON OR THE DIRECTOR SHOULD I ENCOUNTER ANY SUSCIPION OR CONFIERED CHILD ABUSE DURING MY INTERACTION WITH THE CHILDREN BEING SERVED BY KEBEN CHILDREN HOME.

RELATIONSHIP WITH KEBENE

SIGNATURE.....

DATE

WITNESS NAME

.....

SIGNATURE

DATE

Relationship categories:

Intern, Volunteer, Employee, Contractor, Board member, Sponsor, Donor, Partner and other