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**St. Lawrence Home of Hope**  
*Restoring hope in children*

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*P.O.Box 50151, Kamwala South, Lusaka, ZAMBIA*

**Policy and Guidelines on Child Protection  
for Supervisors, Workers, Volunteers and other  
people coming in contact with children.**

**Lusaka 2010**

## St. Lawrence Home of Hope

### Policy and Guidelines on Child Protection for Supervisors, Workers, Volunteers and other people coming in contact with children.

#### Our Expectations

A 'duty of care' exists for all stakeholders who come into contact with children. This means they should not only apply the principles of good practice in their work but also that they have a responsibility and a legal duty to ensure the protection and safety of children in their care.

In our practice we do:

- strive to understand children within the context in which they live;
- work with children in a spirit of co-operation and partnership based on mutual trust and respect;
- work with children in ways which enhance their capacities and capabilities and develop their potential;
- treat children with respect and recognise them as individuals in their own right;
- regard children positively and value them as individuals with specific needs and rights;
- value the views of children and take them seriously.

#### Our Values and Beliefs

We believe in the rights of children to:

- be listened to and have their views given careful consideration;
- be encouraged and helped to participate in decisions which affect them;
- have their welfare and development promoted and safeguarded so that they can achieve their full potential;
- be considered players in their own development with health, safety, well being and their best interests considered of paramount importance;
- be valued, respected and understood within the context of their own culture, religion and ethnicity;
- have their needs identified and met within the context of the family wherever possible;

#### Our Commitment

We recognise:

- The rights of the child to protection from harm, neglect, abuse and exploitation as set out in the United Nations Convention on the Rights of the Child.
- The importance of working in partnership with other organisations in the protection of children.
- The importance of working with the families and larger community for better protection of children.
- All staff members must receive some training in child care matters.

#### Definitions<sup>1</sup>

It is crucial that St. Lawrence Home of Hope, its proprietors, staff and volunteers adopt a common understanding of what **abuse** is and in what circumstances the policies and procedures apply.

**Our definition of child abuse** assumes a definition of the child. It defines a child as anyone under the age of 16 years in accordance with Zambian Law.

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<sup>1</sup> Keeping Children Safe – Training for Child Protection, NSPCC 2006

Within the broad category of child abuse there are five **subtypes of abuse** that are distinguished. These subtypes and their definitions were devised following an extensive review of different countries' definitions of child maltreatment and a 1999 WHO consultation on child abuse prevention.

**Physical Abuse:** the actual or potential physical harm from interaction or lack of interaction, which is reasonably within the control of a parent or person in a position of responsibility, power or trust. (WHO 1999)

**Sexual Abuse:** the involvement of a child in sexual activity that he or she does not fully comprehend, is unable to give informed consent to, or for which the child is not developmentally prepared and cannot give consent, or that violate the laws and social taboos of society. Child 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. This may include but is not limited to the inducement or coercion of a child to engage in any unlawful sexual activity; the exploitative use of a child in prostitution or other unlawful sexual practices; the exploitative use of children in pornographic performances, internet pictures and materials (WHO, 1999). The recent use of technology such as the internet by adults to entice children to meet or participate in virtual sex is also an abuse.

**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 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 (WHO, 1999).

**Emotional abuse:** includes the failure to provide a developmentally appropriate, supportive environment, including the availability of a primary attachment figure, so that the child can reach their full potential in the context of the society in which the child lives. There may also be acts toward the child that cause or have a high probability of causing harm to the child's health or physical, mental, spiritual, moral or social development. These acts must be reasonably within the control of the parent or person in a relationship of responsibility, trust or power. Acts include restriction of movement, degrading, humiliating, scape-goating, threatening, scaring, discriminating, ridiculing, or other non-physical forms of hostile or rejecting treatment (WHO, 1999).

**Sexual exploitation** is the abuse of a position of vulnerability, differential power, or trust for sexual purposes; this includes profiting monetarily, socially or politically from the exploitation of another. Child prostitution and trafficking of children for sexual abuse and exploitation being one example of this.

**Commercial or other exploitation of a child** refers to the use of the child in work or other activities for the benefit of others. This includes, but is not limited to, child labour. These activities are to the detriment of the child's physical or mental health, education, moral or social-emotional development (WHO, 1999). Children being recruited into the army would also come under this category.

It is clear from the above definitions that abuse can be caused by both actions and omissions and can take place both within the context of the family and in the context of other agencies and carers.

## Code of Conduct

All St. Lawrence Home of Hope's Staff Members and Others coming in contact with the children in the Centre agree to abide by this Code of Conduct. Failure to adhere to this code could result in disciplinary action.

All forms of abuse and exploitation suffered by children are unacceptable. St. Lawrence Home of Hope accepts that steps must be taken to protect children from those adults who might seek to gain trust and access to young children through our work.

The possibility of abuse occurring is one we take seriously and we are committed to working to prevent it. Associations with anyone found to be engaging in abusive and exploitative relationships with children will be broken.

At St. Lawrence Home of Hope we have a responsibility to protect children – those we work with and those in the community we live in. We use strict screening procedures for our workers, have a Child Protection Policy and this Code of Conduct which applies to all workers.

St. Lawrence Home of Hope will endeavour to ensure all workers:

- Are **aware** of the problem of child abuse and the risks to children
- Are **aware** of and **committed** to the policies and procedures set out in this policy document
- **Safeguard** children from abuse through **following** a Code of Conduct
- **Report** where possible breaches in the Code of Conduct
- **Respond** appropriately when the Code of Conduct is breached

**Staff and others must never:**

- hit or otherwise physically assault or physically abuse children;
- develop physical/sexual relationships with children;
- develop relationships with children which could in any way be deemed exploitative or abusive;
- act in ways that may be abusive or may place a child at risk of abuse;
- use language, make suggestions or offer advice which is inappropriate, offensive or abusive;
- behave physically in a manner which is inappropriate or sexually provocative;
- have a child/children from Home of Hope to stay overnight at their home unsupervised;
- sleep in the same room or bed with a child they are working for;
- do things for children of a personal nature that they can do themselves such as toileting or changing clothes;
- condone, or participate in, behaviour of children which is illegal, unsafe or abusive;
- act in ways intended to shame, humiliate, belittle or degrade children, or otherwise perpetrate any form of emotional abuse;
- discriminate against, show unfair differential treatment or favour to particular children to the exclusion of others;

This is not an exhaustive or exclusive list. The principle is that staff should **avoid actions or behaviour which may constitute poor practice or potentially abusive behaviour.**

### **It is important for all staff and others in contact with children to:**

- be aware of situations which may present risks and manage these;
- plan and organise the work and the workplace so as to minimise risks;
- as far as possible, be visible in working with children;
- ensure that a culture of openness exists to enable any issues or concerns to be raised and discussed;
- ensure that a sense of accountability exists between staff so that poor practice or potentially abusive behaviour does not go unchallenged;
- talk to children about their contact with staff or others and encourage them to raise any concerns;
- empower children - discuss with them their rights, what is acceptable and unacceptable, and what they can do if there is a problem.

### **In general it is inappropriate to:**

- spend excessive time alone with children away from others;
- take children away from the facility, especially where they will be alone with you, except in emergency situations.

### **Physical contact.**

Most children enjoy physical contact with adults and will actively seek opportunities for this through simple expressions of affection. Indeed, there may be occasions where physical contact is necessary: for example comforting an upset child, protecting child from imminent danger to himself/herself or others, demonstrating or guiding particular action or skill as part of drama or other activities within the lesson or administering first aid treatment.

There are some children, placed under our care, who because of past experience crave greater physical contact or exhibit sexually provocative behavior.

There are also some children who do not like physical contact at all. Caregiver must be sensitive to the appropriateness of physical contact with children and should not take advantage of sexually provocative or over affectionate behavior on the part of children.

Any emergency first aid treatment should be, as far as possible, administered in presence of another staff member.

## **Procedure for responding to allegations or suspicions of child abuse**

### **General explanations:**

**1.** Child abuse occurs when the behavior of someone in a position of greater power than a child or young person and causes harm to the child or young person. The common denominator of all child abuse is that it makes children and young people feel diminished or threatened and that it causes them harm. All forms of child abuse constitute a betrayal of trust and an abuse of power by an adult over a child or young person.

- Each form of child abuse must be treated seriously; there can be no suggestion that some forms are of less significance than others.
- It is accepted, however, that there is a distinction between sexual abuse and the other ways in which children can be harmed in that the motivation and circumstances for the sexual abuse of children can be very different from those which are involved when people physically or emotionally abuse children or cause them to be neglected. A child may be subject to more than one form of abuse at any given time.

- Child abuse may come to light in different ways. In essence, it may be **alleged** or **suspected**.

**2. An allegation** of child abuse is direct, specific and supported by some sort of evidence.

- Where a person, either an adult or a child, alleges that they have been abused and they name the alleged perpetrator.
- Where a person alleges that they have been abused but are unable or are unwilling to name the alleged perpetrator.
- Where a person alleges that they have been abused but the alleged perpetrator has died.
- Where a person reveals that another person has told them of being abused, or where they themselves have witnessed abuse.

**3. A suspicion** is less direct or specific. However, in either case, it is necessary to take further action.

A suspicion that a child or young person is at risk of abuse or is being abused is less direct or specific than an allegation. A person might, for example, become suspicious as a result of rumors, anonymous claims, signs of behavioral, psychological or emotional change, fear on the part of the child or young person, contact with a known abuser, unexplained injury.

Where suspicions of child abuse arise and the suspected person is working for the St. Lawrence Home of Hope, the person who encounters the suspicions must record the details in writing immediately and refer the matter to the person in charge who will notify the relevant authorities.

#### **4. Safeguarding Children:**

This at all times takes priority. If a child is at risk the Supervisor of the facility must ensure that all appropriate procedures are followed in relation to reporting the matter to the civil authorities and must do all within his/her power to ensure that no child continues to be exposed to the risk of being abused.

### **Procedure for responding to allegations of child abuse**

Where a child or young person discloses child abuse to a person working in any capacity at St. Lawrence Home of Hope, it is important that the situation is handled sensitively and compassionately. It should be borne in mind that the child or young person may feel that they have taken a huge risk in disclosing the abuse.

#### **The general guidance that should be observed:**

- The person receiving the allegation should remain calm and not indicate any reaction. They should listen to the child or young person with sensitivity and understanding. They should facilitate them as they tell about the problem but avoid interviewing them.
- The person receiving the allegation should be conscious that the child may feel very frightened and need reassurance and support that they have done the right thing in disclosing the abuse.
- The person receiving the allegation should avoid appearing judgmental about the person against whom the allegation has been made.
- The child or young person should not be questioned unless the nature of what is being said is unclear. It may be necessary to clarify that what was said has been correctly understood.
- Leading questions should be avoided.
- The steps that are likely to follow should be explained to the child or young person.

- It should be made clear that the person receiving the allegation is not in a position to promise to keep the information secret. However reassurance can be given that it will be treated as confidential and will be shared only with those who have a right to hear it.
- Record in writing, all relevant information received, including, for example: dates, times, names, locations and context.
- Parents or guardians should be informed, if possible, unless to do so would place the child at further risk.
- The person who receives an allegation of child abuse should actively encourage the person who is making it to report the matter to the civil authorities. Appropriate arrangements should be made to support them in doing so, if this is what they wish. Should the person making the allegation be under 18 years of age their parent or legal guardian can make a statement on their behalf.
- Whether or not the person making the allegation wishes to report it to the civil authorities, child protection policies in Zambia for children's homes and other placement facilities for children, require that the allegation be referred to the relevant authority of the Institution (Project Supervisor) who will inform, if judged appropriate:
  - Proprietor of the Institution, or
  - District Social Welfare Officer, or
  - Child Protection Unit of Zambian Police.

### **Reasonable grounds for concern:**

- Evidence, such as injury or behavior, which is consistent with abuse and unlikely to be caused in any other way. An example of this would be a pattern of injuries, an implausible explanation and other indications of abuse and/or dysfunctional behavior.
- Consistent indication over a period of time that the child is suffering emotional or physical neglect.
- An allegation which is not supported by any objective indication of abuse or neglect would not constitute a reasonable suspicion or reasonable grounds for concern.

### **Procedure for responding to suspicions of child abuse**

Where suspicions of child abuse arise and the suspected person:

- is working for the St. Lawrence Home of Hope,
- came in contact with a child or young person before his/her admission to the facility,
- is a member of extended or immediate family of the child,
- is working for the St. Lawrence Community Center,
- or any other person,

the person who encounters the suspicions must record the details in writing immediately and refer the matter to the relevant authority of the Institution (Project Supervisor).

Even when a person has suspicions but is not sure if child abuse is involved, they should nevertheless record the details in writing and refer the matter to the relevant authority without delay. All communication should be marked "*strictly private and confidential*".

Where appropriate and relevant, contact:

- Project Supervisor,
- Proprietor of the Institution,
- District Social Welfare Officer,
- Child Protection Unit of Zambian Police.

**Reasonable grounds for concern:**

When the suspicion has been referred to the relevant authority, they will examine whether reasonable grounds for 'concern' exist. Again, the following may constitute grounds for concern:

- Same as those mentioned on previous page.

Where there is any doubt or uncertainty or where concerns remain, the relevant authority will, without delay, consult with the civil authorities on the appropriate steps to be taken.

The relevant authority will keep a written record of the outcome of the consultation with the civil authorities.

The outcome of any consultation may be that it is established that reasonable grounds for concern do exist. In this case the person in charge shall inform the Proprietor the Institution and make a formal report to the civil authorities.

It may be decided following a consultation, that there are no grounds for the relevant authority to formally report the matter to the civil authorities. In this case, the person who referred the matter should be given a written statement by the person in charge outlining the reasons why no further action is being taken and indicating that if they do remain concerned about the situation, they are free to consult with or report to the civil authorities themselves.