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The MSIA Child Safeguarding Policy

Introduction

1. Why is child safeguarding important?

- 1.1 The United Nations Convention on the Rights of the Child (CRC) has established protection from harm and abuse as a legally binding right of every child and places obligations on “States Parties” to adopt and implement laws, policies and other appropriate actions to promote and protect children’s rights. Although the CRC has been ratified by every country in the world, except for the United States, each year the lives and physical, mental and emotional well-being of millions of children are affected by various forms of abuse, neglect, violence and exploitation¹. This occurs in every country, culture and context in the world.
- 1.2 As an organisation working in aid and development, Marie Stopes International Australia has a **duty of care** to the people it works with and comes into contact with, including children.

2. Definitions

- 2.1 **Child** - For the purposes of this policy, MSIA adopts the CRC definition of a child, which is any person under the age of 18, regardless of whether a nation’s laws recognise adulthood earlier.
- 2.2 **Child protection** - measures and structures to prevent and respond to abuse, exploitation, neglect and violence affecting children in all sectors, contexts and environments.
- 2.3 **Child safeguarding** - the responsibility that organisations have to make sure their employees, operations, and programmes **do no harm** to children, and the active measures they take to prevent the harm and abuse of children.
- 2.4 **MSIA People** - includes all employees, trainees, volunteers, sessional workers, and agency staff. All the people to whom this Policy applies are collectively referred to as “MSIA People”.
- 2.5 **Child Safeguarding System** – consists of Five Core Standards that set benchmarks of good practice and accountability and require MSIA People to be constantly vigilant to prevent and respond to child harm and abuse.
- 2.6 **Child Safeguarding Code of Conduct** – A document that articulates the set of standards to which all MSIA People will be held. This document must be signed by all MSIA People upon commencement of their role.

3. Our commitment to child safeguarding

- 3.1 MSIA acknowledges that there are potential risks to children within its operations through services MSIA provides, through providers operating under the MSIA brand, or indirectly through MSIA staff living and working in communities².

¹ Refer to [Annex 1](#) for MSIA’s definitions of the various forms of abuse.

² For example, while delivering clinical services, conducting outreach visits; conducting research and monitoring visits; conducting community engagement activities; during household visits by community mobilisers; taking photos for promotional purposes etc.

- 3.2** MSIA takes its **duty of care** very seriously and has therefore adopted a comprehensive **Child Safeguarding System** based on Five Core Standards. These standards set benchmarks of good practice and accountability, requiring MSIA People to be constantly vigilant to prevent and respond to child harm and abuse.
- 3.3** This **Child Safeguarding Policy** (this Policy) is the central component of MSIA's Safeguarding System, and is part of MSI's overall commitment to safeguarding. It outlines MSIA's principles and approach, the Five Core Child Safeguarding Standards and related procedures and practices that make them effective and operational across all offices and Country Programmes.

4. Objective

- 4.1** The objective of this Policy is to establish a set of internal standards, measures and practices to:
- i. Safeguard children: by minimising the risk of intentional or unintentional harm, abuse and exploitation of children within MSIA's operations, and adequately responding in the event that harm and abuse occur.
 - ii. Safeguard team members: by avoiding ambiguous workplace situations and behaviours, which may be misinterpreted and potentially lead to false allegations against team members.
 - iii. Safeguard MSIA: by showing its genuine commitment to safeguarding children and team members and preventing cases of abuse from happening which may tarnish MSIA's reputation and affect its ability to continue work and receive funding.

5. Scope

- 5.1** This Policy applies to all persons in the MSIA Partnership, including all employees, trainees, volunteers, sessional workers, and agency staff. All the people to whom this Policy applies are collectively referred to as "**MSIA People**".
- 5.2** This policy applies during and outside of working hours, whenever someone can be considered to represent the organisation, in line with MSIA's zero tolerance approach.
- 5.3** MSIA has the responsibility to ensure implementing partners and others engaged in implementation, follow this policy or develop their own following the MSI guiding principles and standards. They include:
- Business partners (i.e., any individual or company contracted by MSIA to conduct a service, including consultants and suppliers)
 - Social Franchisees
 - Visitors (including donors, consultants, researchers, journalists, supporters and spouses/partners of MSIA team members)
- 5.4** This Policy is a general policy that applies to all MSIA People – it does not provide specific guidance on consent issues in the context of procedures for young people as this is the remit of the Medical Development Team³.

³ Further information can be found within [MSI's Policy on Client Counselling and Informed Consent](https://mariestopes.sharepoint.com/globalresources/Pages/Policies.aspx) on SharePoint: <https://mariestopes.sharepoint.com/globalresources/Pages/Policies.aspx>

6. Guiding principles

6.1 MSIA's commitment to child safeguarding is guided by the following principles:

- i. **Zero tolerance of child abuse:** MSIA does not tolerate child abuse in any form by anyone who works for or is associated with the organisation in any capacity.
- ii. **Non-discrimination:** is committed to safeguarding children in its operations regardless of their nationality, culture, ethnicity, gender, religious or political belief, socio-economic status, family or criminal background, or physical or mental health.
- iii. **Shared responsibility:** All MSIA People must commit to and uphold the principles and standards of MSIA's Child Safeguarding System.
- iv. **Acceptance of risks for children:** MSIA understands that that child abuse could happen within its operations and that it is a hidden and under-reported phenomenon. By **accepting that** child abuse could happen, MSIA is committed to its prevention.
- v. **Confidentiality, safety and best interests of the child:** All matters raised and dealt with under the child safeguarding system will respect the privacy of the child and be dealt with in ways that put the best interests of the child first. Information will be shared only on a *need to know basis, to protect victims*.
- vi. **Accountability:** MSIA has systems in place to document, monitor and report on the implementation of its child safeguarding system, as well as mechanisms to ensure that management and team members are committed to, and are undertaking their child safeguarding roles and responsibilities to the best of their capacity.

7. Key roles and responsibilities

A. Regional Director

- i. Is responsible for adherence to and implementation of the Child Safeguarding Policy across the region;
- ii. Serves as the focal point for receiving reports from the Country Director (CD) of an implicated country program, together with the Director of Safeguarding and Protection;
- iii. Is part of the Decision Committee, together with the Director of Safeguarding and Protection, the Chief Operating Officer, the CD of the implicated country programme, the Senior Director of Global Programmes, and others as required;
- iv. As part of the Decision Committee, provides guidance for the investigation and required follow up actions;
- v. In consultation and collaboration with the Director of Global Programmes, reports to the relevant donors;
- vi. Reports to the local board on child safeguarding;
- vii. Maintains the risk register for the region, which includes child safeguarding risks deemed as high;
- viii. Maintains a Safeguarding Register that records allegations and reports of incidents in the region;
- ix. Ensures Child Safeguarding risk management is a standing agenda item in quarterly review meetings with country programs.

B. Regional Safeguarding Leads (Australia Office)

- i. The Global Safeguarding Committee will nominate two (2) Regional Safeguarding Leads. One of the leads should be from the Human Resources Department.
- ii. Given its part-time nature, this role could reasonably be incorporated into the duties an existing position.

- iii. The Regional Safeguarding Leads will receive comprehensive training in both child safeguarding issues and this Policy and related procedures from the MSI Director of Safeguarding and Protection.
- iv. The Regional Safeguarding Leads:
 - Are responsible for ensuring that MSIA's Safeguarding System is effectively put into practice across the partnership and documenting how this is done;
 - Work with the regional office and the country programmes to provide direct and practical support in understanding, implementing and monitoring the Safeguarding System;
 - Carry out 6 monthly compliance calls with country offices in the region to monitor and support implementation.
 - Ensure child safeguarding risks are updated and fed into the risk register maintained by the Regional Director (RD) in collaboration with relevant program managers and Country-level Safeguarding Leads.
 - Serve as MSIA's focal points and representatives regarding child safeguarding matters, and support Country Programmes in dealing with child safeguarding investigations, if and as instructed and guided by the Decision Committee;
 - Work with HR to organise structured and systematic training (i.e. following set criteria and reaching every team member on a regular basis) to ensure all team members are familiar with, and capable, of implementing the Child Safeguarding Policy;
 - In consultation with HR, develop and update the MSIA Incident Reporting Procedures and Flowchart, taking into consideration national laws and protection services available in their area of operation;
 - Serve as mentors for Country-level Safeguarding Leads and provide support to MSIA managers as required in implementing child safeguarding requirements;
 - Are accountable to the Global Safeguarding Committee on the implementation of the Child Safeguarding Policy across their region; and
 - Report to the RD on compliance and challenges.

C. Regional Finance Director

- Support the implementation of child safe procurement processes across the programmes in the region;
- Provide support for safeguarding audits

D. HR Manager

- Support the implementation of child safe recruitment processes at MSIA;
- Ensure safeguarding is part of induction of all new MSIA staff and training is provided on a regular basis;
- Ensure safeguarding training is monitored and participants tracked, flag when staff are due for refresher activities;
- Ensure all staff, representatives, associates and volunteers whose employment or engagement they are responsible for, sign the Safeguarding Code of Conduct on joining the organisation and understand its content;
- Support managers when recruiting temporary staff, consultants and/or engaging new partners in carrying out police checks, undertaking due diligence processes and adhering to safeguarding requirements in recruitment;
- Implement disciplinary actions as required.

E. MSIA Managers

- Responsible for the adherence to and implementation of the Child Safeguarding Policy in their area of responsibility;
- Ensure all team members have signed the Safeguarding Code of Conduct.
- Ensure visitors to any of MSIA's supported Country Programmes or Support Offices, who may have direct contact with children have signed the Safeguarding Code of Conduct.

- Ensure the Code of Conduct is signed by business partners or any other person or entity MSIA enters a services agreement with;
- Conduct child safeguarding risk assessments, implement mitigation strategies and alert the Regional Safeguarding Lead for any required support;
- Report to the Regional Safeguarding Leads on compliance and challenges;
- Ensure Child Safeguarding is a standing agenda item in regular team meetings to discuss the progress & support staff;
- Lead by example.

F. ALL MSIA People

- Take an active role in the implementation and adherence to the Child Safeguarding Policy;
- Report any concerns they have regarding a child, in line with the established reporting process;
- Carry out Child Safeguarding audits when visiting country programmes and report to Regional Safeguarding Leads.

8. Implementation

- 8.1 The implementation of MSIA's Child Safeguarding Policy is based on **MSI's 5 Core Standards of Child Safeguarding**. These core standards set benchmarks of good practice in areas of operations which have the potential to impact on the safety and well-being of children.
- 8.2 MSIA will ensure the adoption of similar policy and practices amongst its partner organisations and provide the necessary support to ensure they are able to meet the required standards.
- 8.3 MSIA will support Country Programmes to develop and implement their Child Safeguarding Policy.
- 8.4 Implementation of this Policy across the Partnership is documented and monitored at the country level, and Country Programmes are required to report progress and compliance on a regular basis to the Melbourne Support Office.

9. Core standards

CORE STANDARD 1: TRAINING AND AWARENESS

i. Rationale

Every MSIA team member and representative has a role to play in the safeguarding of children. To fulfil that role effectively and with confidence, they need to:

- Develop an understanding of child protection issues and risks in their region and the programmes they support through engagement in training provided by MSIA; and
- Maintain knowledge of MSIA's Child Safeguarding System and procedures.

ii. Procedures and Practices

MSIA People will receive regular training on child protection issues and risks, as well as MSIA's Child Safeguarding System. Where appropriate, MSIA will engage external support to deliver the component of training relating to child protection and risks in their operations and the programmes they support. The Regional Safeguarding Lead/s will deliver the component of the training focusing on this Policy and related procedures.

The training opportunities in the regional office will include, at a minimum:

- Induction training – delivered by Regional Safeguarding Lead/s as part of the general induction/orientation for new MSIA People within two months of beginning employment.
- Regular training and refreshers – delivered by Regional Safeguarding Lead/s (with external support of a Child Protection expert if required) for existing MSIA People to ensure knowledge retention. This should take place every 12-18 months but no less than every two years.
- Follow-up meetings for team members with Child Safeguarding responsibilities – facilitated by the Regional Safeguarding Leads. These bi-annual meetings will provide an opportunity for team members who have specific responsibilities with respect to Child Safeguarding to discuss their roles, share experiences and reflect on challenges and lessons learned.

CORE STANDARD 2: CHILD SAFEGUARDING RECRUITMENT AND SCREENING OF TEAM MEMBERS

i. Rationale

As previously noted, child abusers may seek to work or volunteer for organisations such as MSIA in order to gain access to vulnerable families and children. Child abusers increasingly target organisations like MSIA in the hope that we will be less alert than child-centred organisations (e.g. Save the Children and Plan International). In addition, some people lack the character or skills to work in contact with children and, sometimes their actions harm children unintentionally. MSIA is committed to screening the people it hires carefully to ensure children are not at risk through contact with MSIA People.

ii. Procedures and Practices

For this reason, MSIA adopts child safeguarding recruitment procedures for the selection of all MSIA People, whether full time or part time, temporary or long-term. The procedures not only aim to identify possible child offenders and people not suited to work in contact with children, but also to deter these people from seeking work with MSIA in the first place.

The child safeguarding recruitment procedures effective across the MSIA Partnership aim to:

- **Identify positions that have ‘direct’ and ‘indirect’ contact with children**, in order to determine and keep track of ‘higher risk’ positions, which may require more in-depth training and monitoring.
- **Ensure official background checks are conducted for all new team members as a condition for employment:** this is a document from a government authority which details the criminal (and sometimes penal) history of a person (we look out for charges, convictions or investigations related to violence against women or children, assault, domestic violence, child abuse in all forms, inappropriate social behaviour or similar).
- **Conduct verbal referee checks with at least two of the candidate’s most recent employers as a condition for employment:** asking a specific question to draw out the candidate’s attitude and values towards children, child rights and child protection, and exploring whether the candidate has had any related or behavioural issues in his/her previous workplace.
- **Ensure candidates are specifically asked questions during the interview when a position requires direct contact with children:** Behaviour-based interview questions to draw out peoples’ attitudes and values towards children, child rights and

child protection, as well as requesting clarifications for inconsistencies and gaps in the candidate's past or his/her CV.

- **Include a provision in all new employment contracts that make explicit reference to disciplinary measures** for MSIA People who breach the *Child Safeguarding Policy* or *Code of Conduct* or commit child abuse of any form (for example, dismissal, suspension or transfer to other duties) or having existing MSIA People sign a separate declaration to that effect.
- **Ensure that a statement about MSIA having a Child Safeguarding Policy appears in the wording of any job advertisements and notes that successful candidates will need to sign it and undergo a background check** (this may prevent child offenders from applying).
- **Ensure formal and valid documentation** is provided to confirm the identity of a candidate and proof of relevant qualifications and background.

CORE STANDARD 3: CHILD SAFEGUARDING RISK MANAGEMENT

i. Rationale

While it is not realistic to eliminate all risks for children, MSIA makes every effort to identify, monitor and mitigate, to the best of its capacity, all risk or harm and child abuse in operations.

ii. Procedures and Practices

MSIA adopts a systematic and structured child safeguarding risk management system for all day-to-day operations that is organised by service delivery channel. The system includes:

- Identifying risks (i.e. detecting the potential for something to happen that will have an impact on children, team members or MSIA as an organisation).
- Assessing the risks (i.e. evaluating the *likelihood* and level of *impact* on children, team members or the MSIA as an organisation).
- Mitigating the risk (i.e. developing strategies to minimise or address the risk, reducing the likelihood of harm and abuse from actually occurring).

The risk management system is documented, based on a standard template and is reviewed on a regular basis in order to adapt to changing conditions and context.

CORE STANDARD 4: CHILD SAFEGUARDING CODE OF CONDUCT

i. Rationale

It is important that all MSIA People, as well as MSIA business partners and visitors, clearly understand what is expected of them in terms of behaviour and professional boundaries with under-age clients or children with whom they come into contact. It is also important that under-age clients, children in targeted communities and parents understand what is expected of MSIA People, social franchisees, business partners and visitors. This not only makes everyone accountable for their actions, but also ensures that children and parents are aware of how they should be treated.

ii. Procedures and Practices

For this reason, MSIA has a Child Safeguarding Code of Conduct effective across the MSIA Partnership (**Annex 2**) which:

- Describes a list of expected behaviours in relation to children, detailing what is appropriate and inappropriate conduct, prescribing professional boundaries and defining acceptable and unacceptable relationships, in order to guarantee the safety and well-being of children.
- Applies to all MSIA People (who are required to sign it upon recruitment)
- Applies to all MSIA social franchisees, business partners and visitors (who are required to sign it upon contractual engagement or before conducting visits).
- Provides for disciplinary measures in the case of breach, which are determined based on the severity of the breach, and may include dismissal of MSIA People, termination of agreements with social franchisees or business partners, and reporting to local authorities.

It must be noted that the Code of Conduct also serves to avoid ambiguous situations and behaviours in the workplace, which may be misinterpreted or misunderstood, and potentially lead to false allegations against MSIA People, social franchisees, business partners or visitors.

MSIA ensures that all MSIA People, business partners and visitors, as well as clients, beneficiaries and targeted communities are made aware of MSIA's Code of Conduct and understand how to report breaches and cases of misconduct.

CORE STANDARD 5: CHILD SAFEGUARDING INCIDENT REPORTING

i. Rationale

Even with all the preventive measures detailed above, child abuse may still happen. Keeping that in mind, it is important that MSIA has a system in place to respond in an appropriate, effective and timely manner, ensuring no further harm to the victim. For this to happen, it is crucial that all cases of child abuse or breaches of the Code of Conduct are detected and quickly brought to the attention of the Regional Director, who will then take appropriate action based on established internal principles and procedures.

ii. Procedures and Practices

All MSIA People, business partners and visitors must report **witnessed, suspected or alleged cases** of:

- Child abuse or exploitation by another team member, representative, social franchisee, business partner, associate or volunteer;
- Breaches of the Child Safeguarding Policy or Code of Conduct by another team member, representative, social franchisee, business partner, associate or volunteer;
- Child abuse or exploitation within the community, by someone outside the organisation, and which has been raised by another team member, representative, social franchisee, business partner, associate or volunteer, or by a child, community member or any other person outside of MSIA.

Refer to **Annex 3** for Incident Reporting Guidelines and **Annex 4** for the Incident Reporting Flowchart template, which provide clear guidance on how and who to report to.

At all times during the reporting process and subsequent actions, MSIA is committed to:

- Ensuring that the safety, wellbeing, dignity and best interests of the child remain the overriding concerns.

- Treating every report of child abuse seriously, ensuring that all parties are treated fairly and procedures are transparent and in line with local law.
- Dealing with child abuse reports in a confidential and timely manner, whilst maintaining appropriate protection of the victim, the reporter and the alleged perpetrator.

10. Breach of the policy or code of conduct

- i. As detailed throughout this Policy, following investigation, any finding of a breach of the Policy or the Code of Conduct by MSIA People, social franchises, business partners and visitors will result in actions as appropriate. These may include:
 - Meeting to discuss the breach and opportunity for the person to provide their account/understanding of the situation
 - Further education on the Child Safeguarding Policy and Code of Conduct
 - Formal warning and monitoring
 - Transfer to other duties
 - Performance management
 - Dismissal of team members
 - Report to police
 - Termination of agreements (for social franchisees or business partners).
- ii. These measures will apply in a transparent and fair manner and alongside any criminal investigation where relevant.

11. Policy monitoring and review

- i. The Regional Safeguarding Leads in MSIA are responsible for monitoring the overall implementation of MSI's Safeguarding System in the region. Based on input received from Country-level Safeguarding Leads in 6 monthly monitoring and support calls, they will provide advice on general measures that can be improved or adapted to ensure children are safe across MSI Country programs in the region.
- ii. The Regional Safeguarding Leads will report to the Regional Director on compliance and challenges and consult with the Director of Safeguarding and Protection for guidance and support.
- iii. This Policy will be reviewed every three years.
- iv. The Regional Safeguarding Leads will review the information in their reporting flow chart and referral pathways one year from the date of adoption to ensure it is still current, and do this on an annual basis thereafter.
- v. The Policy will be reviewed earlier if there are changes in relevant legislation, compliance requirements, local context or organisational structures and systems.

ANNEX 1

Defining the Underpinning Concepts of Child Safeguarding

What MSIA intends by:

- **Child:** for the purposes of this policy, MSIA adopts the UN Convention on the Rights of the Child definition of a child, which is any person under the age of 18, regardless of whether a nation's laws recognise adulthood earlier.
- **Child Abuse:** the 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.
- **Physical Abuse:** involves the use of violent physical force so as to cause actual or likely physical injury or suffering (e.g. hitting, shaking, burning, female genital mutilation, torture).
- **Emotional or Psychological Abuse:** includes humiliating and degrading treatment such as bad name-calling, constant criticism, belittling, persistent shaming, solitary confinement and isolation.
- **Sexual Abuse:** includes all forms of sexual violence including incest, early and forced marriage, rape, involvement in pornography and sexual slavery. Child sexual abuse may also include indecent touching or exposure, using sexually explicit language towards a child and showing children pornographic material.
- **Neglect:** deliberately, or through carelessness or negligence, failing to provide for, or secure for a child, their rights to physical safety and development.
- **Exploitation:** refers to the use of children for someone else's advantage, gratification or profit often resulting in unjust, cruel and harmful treatment of the child. These activities are to the detriment of the child's physical or mental health, education, moral or social-emotional development.
- **Violence:** the intentional use of physical force or power, threatened or actual, against a child, by an individual or group, that either results in or has a high likelihood of resulting in actual or potential harm to the child's health, survival, development or dignity. Violence can be committed by individuals or by the State as well as groups and organisations through their members and policies. It results not only in fear of/or actual injury but also in fundamental interference with personal freedom.
- **Harm:** the result of the exploitation, violence, abuse and neglect of children and can take many forms, including impacts of children's physical, emotional and behavioural development, their general health, their family and social relationships, their self-esteem, their educational attainment and aspirations.
- **Contact with Children:** working on an activity or in a position that involves or may involve personal contact with a child, either directly as a client or indirectly as a member of the community where MSIA works.

ANNEX 2

MSIA Child Safeguarding Code of Conduct

As a MSIA team member, representative, board member, social franchisee, business partner, associate or visitor, I WILL:

- Treat all children with respect regardless of their race, colour, gender, language, religion, opinions, nationality, ethnicity, social origin, property, disability or other status.
- Not use language or behaviour towards children that is inappropriate, harassing, abusive, sexually provocative, humiliating, demeaning or culturally inappropriate.
- Not act in a sexually provocative manner or engage children in any form of sexual activity, including paying for sexual services or acts regardless of perception of age or development.
- Not visit a child's home if they are alone, or invite unaccompanied children into my home or accommodation, unless they are at immediate risk of injury or harm.
- Ensure, whenever possible, that another adult is present when working in proximity of a child or when finding myself alone with a child in the community or in MSIA services.
- Not sleep close to an unsupervised child or children unless absolutely necessary, in which case I must obtain my supervisor's permission, and ensure that another adult is present if possible (this does not include my own children or in cases when I am acting as a guardian).
- Not spend time with children or young people involved in MSIA programmes and activities outside work hours, unless I live and work in the same community and come together with those children and young people in the context of my family, or social and community life. If this is the situation, I will continue to comply with the Child Safeguarding Policy and Code of Conduct and not discuss private/confidential information concerning them outside work hours.
- Be aware of behaviour and avoid actions or behaviours that could be perceived by others as child exploitation and abuse.
- Not use social media to contact, access, solicit or befriend a child or young person involved in MSIA programmes or activities and not place images of those children or young people on personal social media sites.
- Must never use any computers, mobile phones, video cameras, cameras or social media to exploit or harass children, or access child exploitation material through any medium.
- Not hold, kiss, cuddle, fondle or touch children in an inappropriate way.
- Not physically punish children in any manner.
- Not do things of a personal nature that a child can do for themselves (for example, toileting, bathing, dressing).
- Not abuse my position to withhold professional assistance or services, 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 favour from a child.
- Act professionally towards children I interact with, whilst at the same time showing genuine care and compassion.
- Ensure children/young people who are clients or are involved in research or consultations with MSIA participate in these activities voluntarily, are well informed of the process and have provided consent.
- Follow relevant local, state and national laws, customs and traditions of countries I work in or visit. In cases where the laws, customs or traditions contravene the UN Convention on the Rights of the Child, the CRC shall prevail.
- Report any suspicion, allegation or witness of child abuse or other breaches of the Child Safeguarding Policy, Code of Conduct and Standard Operating Procedures for Safeguarding by

MSIA People, social franchisees, business partners and visitors, as per MSIA's Incident Reporting Guidelines (included in the Child Safeguarding Policy).

- Keep confidential all information that I am party to regarding child safeguarding cases, only disclosing or discussing information with those responsible for investigating incidents or other parties as designated by them and according to the Incident Reporting Guidelines.
- Disclose any child related convictions or investigations that I am subject to outside my role as MSIA People, representative, social franchisee, business partner or visitor.
- Immediately disclose all charges, convictions and other outcomes of an offence that relates to child exploitation and abuse, including those under traditional law, which occurred before or occurs during association with Marie Stopes International Australia.
- Refrain from hiring children for domestic or other labour which is inappropriate given their age or developmental stage, which interferes with their time available for education and recreational activities or which places them at risk of injury, and which contravenes to local labour law.

When photographing or filming a child or using children's images for work-related purposes I must:

- Assess and endeavour to comply with local traditions or restrictions for reproducing personal images.
- Obtain informed consent from the child and parent or guardian before taking the photo or film. An explanation of how the photograph or film will be used must be provided.
- Ensure that images and associated information are honest representations of the context and facts, and are strictly relevant to the work of MSIA.
- Ensure photographs, films, videos and DVDs present children in a dignified and respectful manner and not in a vulnerable or submissive manner. Children should be adequately clothed and not in poses that could be seen as sexually suggestive.
- Ensure file labels, meta data or text descriptions do not reveal identifying information about a child when sending images electronically or publishing images in any form.

I, _____ [insert name], acknowledge that I have read and understand MSIA's Child Safeguarding Code of Conduct, and will comply with all its provisions. I understand that if I breach the Code of Conduct I will be subject to disciplinary measures, including possible dismissal.

(Signature)

(Date)

ANNEX 3

Child Safeguarding Incident Reporting Guidelines

Who must make a report?

All MSIA People, social franchisees, business partners and visitors.

What should be reported?

Witnessed, suspected or alleged cases of:

1. **Child abuse or exploitation** by MSIA People, representative, social franchisee or business partner;
2. **Breaches of the Child Safeguarding Policy or Code of Conduct** by MSIA People, representative, social franchisee or business partner;
3. **Child abuse or exploitation within the community**, by someone outside the organisation, and which has been raised by other MSIA People, representative, social franchisee or business partner, or by a child, community member or any other person outside of MSIA.

Note: You do not need evidence or proof in order to report a case. The suspicion of abuse or breach of the Child Safeguarding Policy or Code of Conduct constitutes sufficient grounds to report. Your responsibility is merely to report, **not to investigate or collect proof**.

How to make a report?

1. If you become aware of an alleged case either directly or through someone else, you should gather **basic information only. It is not your responsibility to investigate the case, only to report it.**
2. Report the case **IMMEDIATELY** verbally to:
 - The Regional Director,
 - If you become aware of or witness an incident during a visit to a country program, you should follow the country's reporting system and report to the Country Director of that country,
 - The external, confidential speaking up service which is independent of MSIA. The speaking up service can be accessed by:
 - telephone, using the telephone number for your country that is listed below;
 - webmail: www.safecall.co.uk/report; or
 - email: speakingup@safecall.co.uk.
3. In receiving an allegation or child safeguarding concern directly from a child, **you should not proceed to question the details of the alleged abuse or "interrogate" the child.** Ask only the number of questions required to gain a clear understanding of what is being said to you.
4. When receiving information of alleged abuse, **you should never promise complete confidentiality** either to a child or to an adult. Explain that you have a duty to ensure that the

child, and any other children who may be harmed, are safe, and that you must follow these procedures. Reassure the child/adult that no one, **other than those who “need to know”**, will be informed (i.e., management team members involved in the response and local authorities, in the case of criminal activities). **You should request that the adult or child** from whom you have received the information, **apply also a rule of confidentiality** and does not discuss the allegation (or their discussion with you) with anyone, unless they “need to know”.

5. Where you are **dealing with a child who has emergency medical needs or is in immediate danger**, you should address these health and safeguarding needs immediately (for example by bringing the child to a hospital or removing him/her from the dangerous situation) before reporting.
6. After the immediate verbal report, you should compile the **Incident Report Form** (below) as soon as possible (**and not later than 24 hours after the alleged incident**) and send it by email to Chris Turned, Regional Director, chris.turner@mariestopes.org.au with **Confidential - Safeguarding** in the subject line. The information you record must be accurate. This could be crucial to the subsequent safeguarding of the child and the effectiveness of any investigation.
7. Completed Incident Reporting Forms and any supporting documentation are treated as confidential and are stored in secure filing cabinets and electronic versions are secured with a password. Verbal communication should likewise be confidential and team members should operate on a “need to know” approach (i.e. information should be passed only to team members specified in these Reporting Procedures).

What happens after you make a report?

- The RD will call a Decision Committee (Director of Safeguarding and Protection, the COO, the Senior Director of Global Programs (if funding is concerned), the CD of the country program concerned, and other expertise if required). They will design an action plan for the investigation of the reported incident. The exact steps of the investigation will depend on each individual case. This can be:
 - Investigated internally;
 - Referred to the police or other local authority;
 - Managed internally if it is not a criminal matter – for example through disciplinary measures.
- The internal process will ensure that cases are dealt with in a **timely, fair and confidential manner, ensuring the safety of the victim, reporter and alleged perpetrator**.
- The Regional Director will ensure that the donors of the project in which the case occurred are notified as soon as practically possible, and per donor requirements. This responsibility can be delegated to the grant manager, if considered to be more appropriate by the Decision Committee.

Some concerns may be resolved by agreed action without the need for an investigation. If urgent action is needed, this will be taken before any investigation is conducted.

How you will receive feedback

After you have raised a concern, a contact person will be assigned to you. The person will, so far as possible:

- inform you about whether your concern will be investigated;
- give you an approximate time frame for dealing with the matter;
- inform you if your further assistance is required; and
- update you at the conclusion of the matter.

The amount of contact between you and those investigating your concerns will depend on the nature of the concerns and the clarity of your information. You may be asked to meet with those investigating so that they can be certain that they have fully understood your concerns

What happens if you do not make a report?

Failure to report any of the above **may result in disciplinary measures**, including dismissal of team members or representative, or termination of agreements with social franchisees and business partners.

Protecting those who make reports

MSIA recognises that the decision to raise a concern can be difficult. If you honestly and reasonably believe that what you have witnessed is true, you should have nothing to fear because you will be doing your duty to MSIA/its entities and all the clients who benefit from our mission.

If you raise genuine concerns:

- you will be given full support from senior management;
- your concerns will be taken seriously; and
- A contact person will be assigned to you, and help you throughout any investigation.

Confidentiality

The principle of confidentiality will also apply to any concern or report you raise. Your name or position will not be revealed without your permission, unless it is required to do so by law or an enquiry results in a criminal investigation in which you are required as a witness. MSIA will also treat the identity of any person suspected of wrongdoing or malpractice as confidential, to the extent that it is able to do so. Within MSIA, your identity and report will be shared only on a **need to know basis**, which means only a few people in management involved in the response process, will know your identity and about your report.

No reprisals

MSIA will not tolerate any harassment or victimisation of, or other form of reprisal (including informal pressure) against, any MSIA People who raise concerns in good faith, and will take appropriate action to protect such people. Any harassment, victimisation or other form of reprisal will be treated as a serious disciplinary offence and may result in dismissal. If you believe that you are being subjected to a detriment in the workplace as a result of raising concerns under this Policy, you should inform your contact person immediately.

Anonymous reports

This Policy encourages you to put your name to the concerns you raise wherever possible. If you do not tell provide your details, it will be much more difficult to protect you or give you feedback. However, concerns that are raised anonymously will not be ignored. They will be considered for investigation taking into account:

- the seriousness of the concerns raised;
- whether the concerns are believable; and
- whether the concerns can be sufficiently investigated based on the information provided, and, if not, whether it is possible to confirm the concerns from other sources.

Unfounded allegations

If you raise a concern in good faith and it is not confirmed by investigation, no action will be taken against you.

If, however, you make a deliberately false or misleading allegation, appropriate disciplinary or legal action will be taken against you.

Confidential Speaking Up Service: Telephone Numbers by Country Programme and Support Office

NOTE: You will be charged to call the UK numbers below. However, you may ask to be called straight back. The free of charge numbers below may be called by you without charge to you. They are literally “free” as the charge will be passed to MSI.

UK Numbers Free of Charge Numbers

UK numbers

Afghanistan +44 191 5167756
Bangladesh +44 191 5167756
Burkina Faso +44 191 5167764
Ethiopia +44 191 5167764
Ghana +44 191 5167764
Kenya +44 191 5167764
Madagascar +44 191 5167764
Malawi +44 191 5167764
Mali +44 191 5167764
Mongolia +44 191 5167766
Myanmar +44 191 5167761
Nepal +44 191 5167761
Niger +44 191 5167764
Nigeria +44 191 5167764
Papua New Guinea +44 191 5167764
Senegal +44 191 5167764
Sierra Leone +44 191 5167764
Tanzania +44 191 5167764
Timor-Leste +44 191 5167767
Uganda +44 191 5167764
Yemen +44 191 5167756
Zambia +44 191 5167764
Zimbabwe +44 191 5167764

Free of charge numbers

Australia 0011 800 72332255
Austria 00800 72332255
Belgium 00800 72332255
Bolivia 800 110328
Cambodia 1800 209761
China (China Telecom) 10800 4400682
China Unicom/Netcom 10800 7440605
India 000800 4401256
Mexico 01800 1231758
Pakistan 00800 900 44036
Philippines 1800 14410499
Romania 3727 41942
South Africa 00800 72332255
Sri Lanka (Colombo) 2423109
Sri Lanka (outside Colombo) 011 2423109
UK 0800 9151571
USA 1 866 901 3295
Vietnam 120 11157

ANNEX 4 - Child Safeguarding Incident Reporting Flowchart

