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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 exploitation<sup>1</sup>. This occurs in every country, culture and context in the world.
- 1.2 As an organisation working in aid and development, MSI Asia Pacific (MSIAP) 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, MSIAP 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 **MSIAP People** - includes all employees, trainees, volunteers, sessional workers, and agency staff. All the people to whom this Policy applies are collectively referred to as “MSIAP People”.
- 2.5 **Child Safeguarding System** – consists of Six Core Standards that set benchmarks of good practice and accountability and require MSIAP 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 MSIAP People will be held. This document must be signed by all MSIAP People upon commencement of their role.
- 2.7 **Implementing Partners** - includes all Business partners (i.e., MSI Country Programs, any individual or company contracted by MSIAP to conduct a service, including consultants and suppliers), Social franchisees, and Visitors (including donors, consultants, researchers, journalists, and supporters) whom are collectively referred to as “Implementing Partners”

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

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### 3. Our commitment to child safeguarding

- 3.1** MSIAP acknowledges that there are potential risks to children within its operations through services MSIAP provides, through providers operating under the MSIAP brand, or indirectly through MSIAP staff living and working in communities<sup>2</sup>.
- 3.2** MSIAP takes its **duty of care** very seriously and has therefore adopted a comprehensive **Child Safeguarding System** based on Six Core Standards. These standards set benchmarks of good practice and accountability, requiring MSIAP 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 MSIAP's Safeguarding System, and is part of MSI's overall commitment to safeguarding. It outlines MSIAP's principles and approach, the Six Core Child Safeguarding Standards and related procedures and practices that make them effective and operational across MSIAP Projects. .

### 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 MSIAP'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 MSIAP: by showing its genuine commitment to safeguarding children and team members and preventing cases of abuse from happening which may tarnish MSIAP's reputation and affect its ability to continue work and receive funding.

### 5. Scope

- 5.1** This Policy applies to all persons within MSIAP funded projects including all employees, trainees, volunteers, sessional workers, and agency staff. All the people to whom this Policy applies are collectively referred to as "**MSIAP People**".
- 5.2** This policy applies during and outside of working hours, whenever someone can be considered to represent the organisation, in line with MSIAP's zero tolerance approach.
- 5.3** MSIAP 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:

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<sup>2</sup> 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.

- Business partners (i.e., any individual or company contracted by MSIAP to conduct a service, including consultants and suppliers)
- Social Franchisees
- Visitors (including donors, consultants, researchers, journalists, supporters and spouses/partners of MSIAP team members)

**5.4** This Policy is a general policy that applies to all MSIAP People – it does not provide specific guidance on consent issues in the context of procedures for young people as this is the remit of MSI Global Medical Development Team<sup>3</sup>.

**5.5** This Policy should be seen as part of a group of policies which deal with the welfare of all who come into contact with MSI, including our clients, our staff and partners, and the communities in which we work:

- MSI's Code of Conduct
- MSIAP Child Safeguarding Code of Conduct
- MSIAP's Adult Safeguarding and Preventing Sexual Exploitation, Abuse and Harassment Policy
- MSIAP Communications Policy
- MSI Speak-Up Policy
- MSIAP & MSA Bullying and Sexual Harassment Policy
- MSI Anti-Modern Slavery and Human Trafficking Policy
- MSI Sexual and Gender Based Violence Operational Guidelines
- MSI Policy on Client Counselling on Informed Consent
- MSI Duty of Care of Service Providers
- MSI Guidance on Safeguarding Clients and Staff During Site Visits
- MSI Safeguarding Code of Conduct for Partners
- MSI Operational Guidance for SGBV
- MSI Adult Safeguarding Policy
- MSI Child Safeguarding Policy

## 6. Guiding principles

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

1. **Zero tolerance of child abuse:** MSIAP does not tolerate child abuse in any form by anyone who works for or is associated with the organisation in any capacity.
2. **Empowerment and Client-centred Care:** MSIAP promotes a culture which puts the clients interests first, where children and young adults are treated with genuine care and compassion, and feel safe and able to make informed decisions about their care, provide feedback and speak up when something doesn't feel right.
3. **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.
4. **Shared responsibility:** All MSIAP People must commit to and uphold the principles and standards of MSIAP's Child Safeguarding System.

<sup>3</sup> 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>

5. **Acceptance of risks for children:** MSIAP understands 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, MSIAP is committed to its prevention.
6. **Partnership:** Communities can help prevent, detect, and report abuse. MSI expects all staff to be open to receiving community feedback. Where possible MSI will form strategic partnerships with existing services and experts in the community who are able to provide specialist support to survivors of abuse to ensure MSI is able to care for those who may experience abuse within MSI's operations.
7. **Survivor-focused:** All reported violations of this policy will be managed in a way which prioritises the best interests, welfare and protection of the child. All safeguarding concerns will be handled sensitively, confidentiality will be maintained at all times, and support will be provided to survivors where necessary.
8. **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*.
9. **Accountability:** MSIAP 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

### Executive Officer

- Is responsible for adherence to and implementation of the MSIAP Child Safeguarding Policy.
- Serves as a focal point for receiving reports of incidents from the MSI Global Safeguarding Reporting Database together with the MSIAP Donor Lead, Director of Safeguarding and Protection and MSI Regional Directors
- MSIAP Executive Officer may partake in the Decision Committee, together with the Director of Safeguarding and Protection, the Chief Operating Officer (or proxy), the Regional Director, the Donor Lead, the CD of the implicated country program, and others as required;
- Reports to the local board on child safeguarding.

### Donor Lead

- The Donor Lead may take part in the Decision Committee, together with the Director of Safeguarding and Protection, the Chief Operating Officer (or proxy), the regional director, the MSIAP Executive Officer the CD of the implicated country programme, the relevant donor lead, and others as required;
- As part of the Decision Committee, provides guidance for the investigation and required follow up actions;
- In consultation and collaboration with the relevant team members, reports to the relevant donors and ensures the MSI safeguarding register is updated with all donor correspondence.
- Maintains the risk register for the MSIAP Funded Projects, which includes child safeguarding risks deemed as high;

### MSIAP Safeguarding Lead

- The Gender Equality, Safeguarding and Inclusion (GESI) Advisor will be the MSIAP Safeguarding Lead.
- The GESI Advisor will receive comprehensive training in both child safeguarding issues, this Policy and related procedures from the MSI Director of Safeguarding and Protection.
- Ensures Safeguarding risk management is a standing agenda item in MSIAP project monitoring meetings
- Is responsible for ensuring that MSIAP's Safeguarding System is effectively put into practice across the partnership and documenting how this is done;
- Work with the Country Program teams managing MSIAP funded projects to provide direct and practical support in understanding, implementing and monitoring the Safeguarding System;
- Ensure child safeguarding risks are updated and fed into the risk register maintained by the Donor Lead in collaboration with relevant program managers and Country-level Safeguarding Leads.
- Conduct child safeguarding risk assessments, implement mitigation strategies and alert the Safeguarding Lead for any required support
- Serve as MSIAP's focal point and representative regarding child safeguarding matters within MSIAP funded projects, and provide support with child safeguarding investigations, if and as instructed and guided by the Decision Committee;
- 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;
- Maintain and update the **MSIAP Safeguarding and Sexual Exploitation, Abuse, and Harassment Incident Reporting Procedures and Flowchart**, taking into consideration national laws and protection services available in their area of operation;
- provide support to MSIAP managers as required in implementing child safeguarding requirements;
- Report to the Donor Lead and Executive Officer on compliance and challenges.
- Leads MSIAP safeguarding audits.

### Finance Director

- Support the implementation of child safe procurement processes as advised by MSIAP Safeguarding Lead.
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### HR Manager

- Support the implementation of child safe recruitment processes at MSIAP;
- 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.

### MSIAP Senior 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 MSIAP'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 MSIAP enters a services agreement with;
- ;
- Report to the MSIAP Safeguarding Lead 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.

**ALL MSIAP 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 MSIAP Safeguarding Lead, as requested

## 8. Implementation

- 8.1 The implementation of MSIAP's Child Safeguarding Policy is based on **MSIAP 6 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 MSIAP will ensure the adoption of similar policy and practices amongst its implementing partners and provide the necessary support to ensure they are able to meet the required standards.
- 8.3 Implementation of this Policy is documented and monitored at the project level, and MSIAP funded projects are required to report progress and compliance on a regular basis to MSIAP.

## 9. Core standards

### **CORE STANDARD 1: TRAINING AND AWARENESS**

**i. Rationale**

Every MSIAP 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 MSIAP; and
- Maintain knowledge of MSIAP's Child Safeguarding System and procedures.

**ii. Procedures and Practices**

MSIAP People will receive regular training on child protection issues and risks, as well as MSIAP's Child Safeguarding System. Where appropriate, MSIAP 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 will deliver the component of the training focusing on this Policy and related procedures.

The training opportunities at MSIAP will include, at a minimum:

- Induction training – delivered by MSIAP Safeguarding Lead as part of the general induction/orientation for new MSIAP People within two months of beginning employment.
- Regular training and refreshers – delivered by MSIAP Safeguarding Lead/s (with external support of a Child Protection expert if required) and online training platform for existing MSIAP 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 MSIAP Safeguarding Lead. 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 MSIAP in order to gain access to vulnerable families and children. Child abusers increasingly target organisations like MSIAP 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. MSIAP is committed to screening the people it hires carefully to ensure children are not at risk through contact with MSIAP People.

### **ii. Procedures and Practices**

For this reason, MSIAP adopts child safeguarding recruitment procedures for the selection of all MSIAP 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 MSIAP in the first place.

The child safeguarding recruitment procedures effective at MSIAP 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 MSIAP 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 MSIAP People sign a separate declaration to that effect.
- **Ensure that a statement about MSIAP 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, MSIAP 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**

MSIAP adopts a systematic and structured child safeguarding risk management system for all day-to-day operations and within MSIAP Funded Projects. The system includes:

- Identifying risks (i.e. detecting the potential for something to happen that will have an impact on children, team members or MSIAP as an organisation).
- Assessing the risks (i.e. evaluating the *likelihood* and level of *impact* on children, team members or the MSIAP 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 MSIAP People, as well as implementing partners, 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 MSIAP People and implementing partners. 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, MSIAP has a Child Safeguarding Code of Conduct effective across the MSIAP 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 MSIAP People (who are required to sign it upon recruitment)
- Applies to all MSIAP Implementing Partners (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 MSIAP 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 MSIAP People, and/or Implementing Partners social franchisees, business partners or visitors.

MSIAP ensures that all MSIAP People, Implementing Partners, as well as clients, beneficiaries and targeted communities are made aware of MSI'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 MSIAP 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 Executive Officer who will then take appropriate action based on established internal principles and procedures.

### **ii. Procedures and Practices**

All MSIAP People, and/or implementing partners 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;

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, MSIAP 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.

### Core Standard 6: Incident Investigation

When a report has been received through any of the above Speak Up channels, all incidents must be urgently reported to the Country Director, Regional Director or the Director of Safeguarding and Protection. A **Safeguarding Decision Committee** will then be convened to provide direction and support to the investigation and any disciplinary processes that may follow.

Our overriding concern is always for the **safety, wellbeing, dignity, and best interests of the victim/-survivor. MSIAP treats all reported incidents relating to this Policy seriously.** MSIAP will ensure that all parties are treated fairly, and that procedures are transparent and in line with local law. MSIAP aims to manage reported cases in a timely manner.

MSIAP also commits to confidentiality as far as possible, in order to protect the alleged victim, the incident reporter, and the person against whom the allegation has been made.

## 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 MSIAP People, or implementing partners 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 MSIAP Safeguarding Lead is responsible for monitoring the overall implementation of MSI's Safeguarding System within MSIAP funded projects.
- ii. The MSIAP Safeguarding Lead will report to the Donor Lead and Executive Officer 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 MSIAP Safeguarding Lead 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.

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## ANNEX 1

### Defining the Underpinning Concepts of Child Safeguarding

What MSIAP intends by:

- **Child:** for the purposes of this policy, MSIAP 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. Abuse can occur in person, or online.
- **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 MSIAP works.

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## ANNEX 2

### MSIAP Child Safeguarding Code of Conduct

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

- Treat all children with dignity and respect regardless of their race, colour, gender identity, sexual orientation, language, religion, opinions, nationality, ethnicity, indigeneity, 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 MSIAP 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 MSIAP 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 give children alcohol, or illicit drugs under any circumstances.
- 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 MSIAP 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

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by MSIAP People, social franchisees, business partners and visitors, as per MSIAP'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 MSIAP 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 MSIAP.
- 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:**

- Adhere to the guidelines outlined with MSI's Ethical Story Gathering Toolkit.
- 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 all images can be removed or deleted should informed consent be withdrawn at any time.
- Ensure that images and associated information are honest representations of the context and facts, and are strictly relevant to the work of MSIAP.
- Ensure media imagery and stories present children and young adults 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.

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(Signature)

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(Date)

## ANNEX 3

### Child Safeguarding Incident Reporting Guidelines

#### Who must make a report?

All MSIAP People and Implementing Partners

#### What should be reported?

**Witnessed, suspected or alleged** cases of:

1. **Child abuse or exploitation** by MSIAP People, representative, social franchisee or business partner;
2. **Breaches of the Child Safeguarding Policy or Code of Conduct** by MSIAP People, representative, social franchisee or business partner.

**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 or via email to:
  1. The Executive Officer or Donor Lead
    - 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,
  2. The external, confidential speaking up service which is independent of MSIAP. 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](mailto:www.safecall.co.uk/report); or
    - email: [speakingup@safecall.co.uk](mailto: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 their 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**)
    - send the completed form by email to either
      - i. Merewyn Foran, [Merewyn.Foran@MSIChoices.org.au](mailto:Merewyn.Foran@MSIChoices.org.au), with **Confidential - Safeguarding** in the subject line.
      - ii. To the confidential Speak-Up service via webmail on [www.safecall.co.uk/report](http://www.safecall.co.uk/report), or by email on [speakingup@safecall.co.uk](mailto:speakingup@safecall.co.uk),
    - 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 Executive Officer will call a Decision Committee . 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 Executive Officer and/or Donor Lead 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, identified by the decision committee, 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 implementing partners.

### Protecting those who make reports

MSIAP 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 MSIAP 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. MSIAP 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 MSIAP, 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

MSIAP will not tolerate any harassment or victimisation of, or other form of reprisal (including informal pressure) against, any MSIAP 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 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.

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## 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

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 1800 312928  
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 03727 41942  
South Africa 0800 990243  
Sri Lanka (Colombo) 2423109  
Sri Lanka (outside Colombo) 011 2423109  
UK 0800 9151571  
USA 1 866 901 3295  
Vietnam (VNPT) 120 11157  
Vietnam (Viettel) 122 80725

## ANNEX 4 - Safeguarding Incident Flowchart

### MSIAP CHILD SAFEGUARDING, ADULT SAFEGUARDING AND SEXUAL EXPLOITATION, ABUSE AND HARASSEMENT REPORTING PROCESS

<b>WHO MUST REPORT</b>	<p style="text-align: center;"><b>ANYONE WITH CONCERNS</b></p> <p>This includes clients, children, parents, community members, MSIAP people, implementing partner</p>																					
<b>WHAT MUST BE REPORTED</b>	<p><b>Allegations, disclosures, observations or suspected incidents of:</b></p> <ul style="list-style-type: none"> <li>• <b>Child abuse, exploitation or harm</b> by MSIAP People, representatives, implementing partner</li> <li>• <b>Breaches of the MSIAP Adult or Child Safeguarding Policy or MSIAP Child Safeguarding Code of Conduct</b> by MSIAP People, representative, implementing partner</li> <li>• <b>Abuse, exploitation or harassment of an adult</b> by MSIAP People, representative, implementing partner</li> <li>• <b>Breaches of the MSI Code of Conduct</b> by MSIAP People, representative, implementing partner</li> </ul>																					
<b>HOW QUICKLY TO REPORT</b>	CHILD SAFEGUARDING INCIDENTS <b>IMMEDIATELY, WITHIN 24 HOURS</b>	ADULT SAFEGUARDING INCIDENTS <b>IMMEDIATELY, WITHIN 24 HOURS</b>																				
<b>HOW TO REPORT</b>	<p><b>REPORT TO A STAFF MEMBER or SAFECALL</b></p> <p>1. Make a direct verbal report to your Manager, HR Manager, or directly to MSIAP Executive Officer on +61 (03) 9658 7564. All reports will be elevated to the MSIAP Executive Officer. Reports can also be made via Safecall on 1800 312 928 or directly to the MSI Asia Pacific, Board Chair via <a href="mailto:report@MSIChoices.org.au">report@MSIChoices.org.au</a>.</p> <p>2. Complete an Incident Report Form (or request HR/Manager to complete on your behalf) and submit it to <a href="mailto:Merewyn.foran@MSIChoices.org.au">Merewyn.foran@MSIChoices.org.au</a> or <a href="mailto:speakingup@safecall.co.uk">speakingup@safecall.co.uk</a> within 24 hours of making the verbal report. The email title should include: "Confidential – Safeguarding".</p>		<p><b>REPORT VIA SPEAK -UP</b></p> <p>1. Phone the Confidential Speaking Up Service on:</p> <table border="0"> <tr><td>Australia</td><td>1800 312 928</td></tr> <tr><td>Bangladesh</td><td>+44 191 5167756</td></tr> <tr><td>Cambodia</td><td>1800 209761</td></tr> <tr><td>Myanmar &amp; Nepal</td><td>+44 191 5167761</td></tr> <tr><td>Pakistan</td><td>00800 900 44036</td></tr> <tr><td>PNG &amp; Senegal</td><td>+44 191 5167764</td></tr> <tr><td>Timor-Leste</td><td>+44 191 5167767</td></tr> <tr><td>Vietnam (VNPT)</td><td>120 11157</td></tr> <tr><td>Vietnam (Viettel)</td><td>122 80725</td></tr> </table> <p>2. Complete an Incident Report Form (or request Speak -Up complete on your behalf) and submit via webmail on <a href="http://www.safecall.co.uk/report">www.safecall.co.uk/report</a> OR by email on <a href="mailto:speakingup@safecall.co.uk">speakingup@safecall.co.uk</a></p>		Australia	1800 312 928	Bangladesh	+44 191 5167756	Cambodia	1800 209761	Myanmar & Nepal	+44 191 5167761	Pakistan	00800 900 44036	PNG & Senegal	+44 191 5167764	Timor-Leste	+44 191 5167767	Vietnam (VNPT)	120 11157	Vietnam (Viettel)	122 80725
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Timor-Leste	+44 191 5167767																					
Vietnam (VNPT)	120 11157																					
Vietnam (Viettel)	122 80725																					
<b>WHAT HAPPENS WHEN A REPORT IS MADE</b>	<p><b>The MSIAP Executive Officer will</b></p> <ul style="list-style-type: none"> <li>• Identify immediate or potential risk to the child or adult and alleged perpetrator, if any.</li> <li>• Lodge Safeguarding Incident in the MSI Safeguarding Registrar and report to the Director of Safeguarding and Protection</li> <li>• Call a Decision Committee to develop an immediate Action Plan to ensure victim/survivor safety and respond to the report in a timely, safe, confidential and fair manner.</li> <li>• Executive Officer or Donor Lead will report to donor/s in accordance with specific donor requirements, or delegate reporting to the person holding the relation with the donor.</li> </ul>																					
<b>EXAMPLES OF POSSIBLE RESPONSES</b>	<p><b>Report made to the appropriate local authorities.</b></p> <p><b>Emergency Contact :</b> If child or adult in Australia is at immediate danger or risk of harm: 000</p> <p><b>Child Protection Service:</b> VIC: 131 278 NSW: 13 21 11 ACT: 1300 556 729 NT: 1800 700 250 QLD: 13 74 68 SA: 13 14 78 TAS: 1800 000 123 WA: 1800 273 889</p>	<p><b>Refer the child and or person making the report to local support services.</b></p> <p>Lifeline: 13 11 44 Kids Helpline: 13 11 14 Domestic Violence Line: NSW: 1800 656 463</p>	<p><b>Internal management process</b></p> <p>This may include meeting to discuss; further training; formal warning; suspension, termination.</p>	<p><b>No further action</b></p> <p>In the event that the report reveals to be unsubstantiated.</p>																		
<b>FEEDBACK</b>	The person who made the report will be updated at the conclusion of the matter.																					

Last updated on 11.10.2023 by Frieda Munz