

Purpose

Because Medair engages with children directly and indirectly as part of its programming activities, we have established this Child Protection Policy to ensure that the children with whom we work and engage are adequately protected. The purpose of this policy is to:

- Establish a common understanding of child protection issues
- Establish good practices of protecting children across the diverse and complex areas in which Medair operates
- Provide guidelines on how to protect children in the course of our work
- Provide a framework to ensure all reasonable steps are taken to protect children from abuse, exploitation, and harm.

Who we are

Medair is a Swiss-based international humanitarian organisation dedicated to relieving human suffering in some of the world's most remote and devastated places. We reach people in underserved communities that have been damaged by natural disasters, conflicts and other crises. In doing so, we help people recover with dignity and develop skills to build a better future.

Who must follow this policy

This policy applies to all Medair employees, trustees, board members, consultants, contractors, volunteers, interns, individuals or organisations under short or long term contractual obligations such as third parties, suppliers, agents, and implementing partners, and any other persons acting on behalf of Medair ("representatives"). Representatives are expected to read, understand, and comply with all aspects of this policy.

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1. Introduction

1.1 Policy Statement

Consistent with Medair's values of faith, compassion, hope, dignity, accountability and integrity, Medair is committed to protecting the children we work with from violence, abuse, neglect, and exploitation. We will meet our commitment to safeguard children from harm and to promote child welfare and safety through the following means:

- **Awareness:** we will ensure that all staff and other representatives are aware of the problem of child abuse and the risks to children.
- **Prevention:** we will ensure, through awareness and good practice, that staff and other representatives minimise the risks to children.
- **Reporting:** we will ensure that staff, other representatives and beneficiaries know how to report concerns regarding the safety of children.
- **Responding:** we will ensure that staff and other representatives take action to support and protect children when concerns arise regarding possible abuse, to stop any abuse that comes to our attention, and to alleviate the immediate effects. We will conduct a prompt and thorough internal investigation, impose appropriate consequences, and take needed corrective actions. We will also inform and collaborate with external authorities as appropriate.

1.2 Principles Behind Medair's Child Protection Policy

Medair's Child Protection Policy is based on the following principles¹:

1. **No form of child abuse is ever acceptable.** Medair has a **zero tolerance** approach to all forms of abuse, neglect, and exploitation.
2. **All children have the right to life, and to protection from all forms of violence, abuse, neglect, and exploitation,**² without regard to race, colour, sex, language, religion, political or other opinion, national, ethnic, or social origin, disability, physical or mental health, socio-economic or cultural background, class, or any other aspect of their background or identity. Discrimination against children in any form will not be tolerated.
3. **We will respect child protection laws** in the countries in which we work, as well as international laws and conventions relating to all forms of child abuse and exploitation.

¹ For more detail and guidance, see *Minimum Standards for Child Protection in Humanitarian Action*, available here: <https://spherestandards.org/resources/minimum-standards-for-child-protection-in-humanitarian-action-cpms/>

² UN General Assembly, *Convention on the Rights of the Child*, 20 November 1989, United Nations, Treaty Series, vol. 1577, p. 3, available at <https://www.ohchr.org/en/professionalinterest/pages/crc.aspx>. See articles 6, 19, and 34.

4. **The best interests of the child are paramount.** When decisions are made that affect a child and conflicting interests are present, the rights, needs and welfare of the child shall be the primary consideration.
5. **Children have the right to participate in decisions that affect them, and to have their views heard and respected.** Decisions made about children will be made, to the extent possible, with their participation and giving full consideration to how such decisions will affect them. Their views will be given due weight (importance) in accordance with the age and maturity of the child.
6. **We have a duty of care toward the children we work with, come into contact with, and who are affected by our operations.** All Medair Representatives have a responsibility to safeguard and promote the welfare of children, regardless of their individual roles, and to promptly report and respond to concerns about a child's welfare.
7. **No child should suffer harm as a result of our programming, or their contact or engagement with Medair.** Our safeguarding approach is mainstreamed into all stages of our operations, programmes, projects, activities, and interventions. We will ensure that our programming is designed and delivered in such a way that protects children, and takes the particular needs and vulnerabilities of children into consideration.
8. **Children have the right to protection of their personal data.** Access to children's personal data will be limited to those who need it for the conduct of their official duties.
9. **Programming should take into consideration specific needs based on gender and other special vulnerabilities.** We recognise that the risks of bias, discrimination, violence, and violation of rights are higher for some children than others, and that appropriate measures must be taken to address these risks.
10. **We will take all necessary steps to ensure that Medair Representatives who work with children are appropriately screened for any potential risks they may pose to children.** Strong recruitment practices are critical to ensuring the well-being of children.
11. **All Medair Representatives have a duty to report any concerns about child safety, and Medair will respond promptly and appropriately to those concerns.** We will ensure that strong procedures are in place for reporting and investigation of concerns regarding child safety and welfare.
12. **We will ensure that children, the community, partners we work with, and others are aware of this Child Protection Policy and the procedures for reporting concerns.** We are accountable to the populations we serve, and will work with those populations and stakeholders to establish strong local procedures.

13. **We will ensure that all Medair Representatives are aware of child protection issues.** Training will be conducted as part of the induction of new staff, and as part of periodic refresher training for existing staff. **Training on recognising and responding to child safety concerns is mandatory for all Medair Representatives who work closely with children. Those who work closely with children will receive more extensive initial and continuing training.**
14. **We will work in partnership with others to promote the safeguarding of children.** We will work with other agencies and the wider community, and will involve law enforcement and specialist child welfare agencies when necessary.
15. **Partners we work with have an equal responsibility for preventing harm to children.** We hold our partners to an equivalent standard on the safeguarding and protection of children.
16. **We believe in the importance of openness and transparency regarding this commitment.** We will hold ourselves accountable for our commitment to the protection of children. Concerns must be raised and discussed, poor practices and inappropriate behaviour challenged, and our safeguarding measures regularly reviewed and strengthened.
17. **We are responsible for informing and empowering children and young people about their right to protection so that they are better able to exercise their rights.** Children and young people have the right to participate in any decision affecting them and to have their views heard and acted upon. We will work with children and young people as well as their parents and caregivers so that they understand the essence of this policy, our safeguarding commitment and the means by which they can report policy breaches. This empowering and inclusive safeguarding approach promotes equality, equity, and ultimately increased safety and protection.

1.3 Implementation

Given the different contexts in which Medair works and the diversity of our operations, certain elements of child protection may vary from programme to programme. This policy establishes a framework for child protection and outlines minimum expectations for all Medair staff and representatives. Country programme leadership should determine how to implement the policy to take into account local operating conditions, cultural differences, and applicable local laws. Medair draws a clear distinction between acceptable cultural differences and behaviour which harms, abuses, or exploits children, which is never to be tolerated.

Mainstreaming Child Protection

Even in programs that are not child-focused, there can be inherent risks to children such as physical harm from inadequate consideration of their particular needs and vulnerabilities. Medair's safeguarding approach is mainstreamed in all stages of our and our partners' operations, programmes, projects, activities and interventions to ensure that these are designed and delivered in a manner that does no harm to children and young people. We will also conduct periodic reviews to identify any new or emerging child protection risks.

Where it is not possible to comply with the minimum requirements of the policy (for example, if local laws governing employment limit local recruitment practices) this must be brought to the attention of the GSO Legal Director (GSO-Legal-Dir@medair.org) who will advise and assist in finding alternative, practical solutions.

1.4 Definitions**Who is a Child?**

A child is a person under the age of 18 regardless of the age of majority/consent in country.

What is Child Abuse?

The World Health Organization defines child abuse as "all types of physical and/or emotional ill-treatment, sexual abuse, neglect, negligence and commercial or other exploitation, which results in actual or potential harm to the child's health, survival, development, or dignity in the context of a relationship of responsibility, trust, or power."³

The Medair Child Protection Guideline describes specific forms of abuse.

2. Key Child Protection Staff**2.1 Child Protection Coordinator**

The Child Protection Coordinator (CPC) is the GSO Legal Director, and is the main contact when any child protection concerns arise.

2.2 Child Protection Supervisor

Every Medair country programme will appoint a Child Protection Supervisor (CPS) to facilitate local implementation of the Child Protection Policy. Ideally, the CPS will be someone who is trusted in the community, has the necessary skills and commitment to take on this new role, and where possible speaks the local language. If the CPS is not a senior

³ "Child maltreatment," World Health Organisation, last modified 30 September 2016, <https://www.who.int/en/news-room/fact-sheets/detail/child-maltreatment>.

staff member, he/she will require support from a senior leader who has the necessary status and authority within the country management team to ensure the policy is implemented effectively.

In many countries, a single CPS will be sufficient. However, each office should appoint a deputy to act in the absence of the CPS. In larger country programmes it may be appropriate to have more than one CPS, particularly where operations are spread across a wide geographic area, or in larger operations where several separate parts of the operation involve work with children.

The CPS is responsible for:

- Supporting the Country Director in implementing the Child Protection Policy;
- Acting as a first point of contact for staff on all child protection issues;
- Addressing questions, difficulties or confusion regarding how to report allegations or suspicions of abuse or how these are investigated;
- Maintaining a list of local child welfare specialists, health, and law enforcement contacts;
- Providing advice and support to staff concerned about a child protection issue and deciding what action to take;
- Escalating all child protection concerns by notifying senior managers as appropriate;
- Referring cases to local child welfare specialists and/or law enforcement agencies as appropriate;
- Keeping accurate records that are data-protection compliant and kept confidential at all times; and
- Reporting all child protection issues that arise to the CPC.

3. Standards of Behaviour

Everyone shares the responsibility for safeguarding and promoting the welfare of children, irrespective of individual roles. Remember that children can be subject to the risk of abuse not just by those who intend to cause them harm, but also as a result of failure to provide adequate care and supervision, lack of clear policies and procedures, and general organisational negligence.

Medair staff and representatives must **never**:

- Engage in or condone any type of abuse against children, including physical, sexual, emotional, or mental ill-treatment, or neglect or exploit children in any way.
- Participate in or condone illegal or unsafe behaviour with children.
- Work alone, or allow others to work alone with a child away from others, behind closed doors, in a secluded area, or other areas where they cannot be observed.
- Use corporal punishment or chastisement, however acceptable or moderate it may seem.
- Use language intended to belittle, humiliate, or degrade children.

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- Engage in sexual activity or behave in an inappropriate manner with anyone under 18 years of age (or below the legal age of sexual consent, if it is higher.)
- Have a child with whom they are working stay overnight in their living quarters without the permission of that child's parents/guardians.
- Sleep in the same room or bed as a child with whom they are working.
- Take a child alone in a Medair vehicle, unless absolutely necessary and only with the consent of the child's parents/guardians, and their Medair supervisor.
- Discriminate against, show differential treatment, or favour particular children to the exclusion of others.

Medair staff and other representatives in contact with children must **always**:

- Create and foster a climate where complacency is not tolerated and every staff member or other representative, no matter how trusted, is held to account.
- Ensure that all physical contact with children is appropriate and culturally sensitive.
- Use positive, non-violent methods to manage children's behaviour.
- Promote the participation of children in decisions that affect them, and listen to them.
- Ensure the confidentiality of children's personal information.
- Accept responsibility for personal behaviour and actions; always be accountable for their actions with regard to children, regardless of the child's behaviour.
- Avoid being placed in a compromising situation when working with children; whenever possible and practical, have two adults visible and present at all times.
- Be aware of situations that may present risks to children and address those risks.
- As much as possible, be visible while working with children and never alone.
- Support a culture of openness and accountability, encouraging concerns to be raised and discussed, and poor practice or potentially abusive behaviour to be challenged.
- Report any concerns about child safety promptly, and comply with internal and external investigations.
- Observe confidentiality regarding any incidents of actual or suspected abuse.

4. Recruitment

Recruitment practices that take child safety into account are a critical part of a strong Child Protection policy. Medair will take all reasonable measures to prevent unsuitable individuals from working with children. We will screen and perform due diligence not only on potential new hires, but also on potential Medair representatives not subject to the standard recruitment process (i.e., volunteers, contractors and contract labour). Although the majority of people who want to work with Medair are motivated by altruistic values, it is always possible that an individual may attempt to use Medair to gain access to children for abusive and exploitative purposes.

In addition to signing an affirmation of the Medair Code of Ethics, all Medair employees and other representatives must sign the Child Protection Declaration before beginning to work at or with Medair.

Therefore, it is crucial for Medair and implementing partners to have a strong screening process in place for potential staff members and other representatives, especially for those who are entrusted with the care of children. Additional guidance on screening in the **Medair Child Protection Guideline** describes what is required.

5. Training, Supervision, and Support

New employees and other representatives must be adequately trained on child protection issues and procedures. Medair employees and other representatives must also be supervised to ensure compliance. This means that they:

- Are familiar with and agree to comply with the Child Protection Policy, and are given the opportunity to discuss its application to their position and responsibilities with both their line manager and the CPS as part of their induction/orientation;
- Have access to supervision, support, and training regarding child protection, and the implementation of the Child Protection Policy via their line manager, the CPS and senior management;
- When working closely with children, shall receive additional, specialized training as a part of an overall training plan developed with their manager, with this training tracked as part of performance reviews;
- Are informed about Medair's policy on the use of computers and mobile phones, and understand that the use of this technology for the purpose of accessing, producing, or distributing violent or sexual images, including adult pornography, is absolutely prohibited

Medair will also provide periodic Child Protection refresher training.

6. Programming/Ongoing Organisational Responsibilities

6.1 Accountability to Affected Populations (AAP)

According to the UNHCR, accountability to affected populations (AAP) can be understood as “an active commitment by humanitarian actors and organisations to use power responsibly by taking account of, giving account to, and being held to account by the people they seek to assist.” It refers to the responsible use of power in humanitarian action, combined with effective and quality programming that recognizes the dignity, capacity, and abilities of communities of concern.

In applying AAP to child protection, Medair will also raise awareness regarding child protection and our Child Protection Standards of Behaviour in communities. Building awareness and capacity in the community, including children, is a significant part of

child safeguarding. We take seriously children's rights to participate and be heard, including understanding their rights to protection and how to report abuse.

6.2 Protection of Personal Information

Principle 8 outlines the policy that children have the right to protection of their personal data (and especially sensitive personal data), which will be available only to those who need it to conduct official Medair duties.

Personal information may **not** be shared. It can include but is not limited to: photos, videos and other personal information of children such as the child's last name, ID number, specific medical conditions, physical measurements, home address, school name, school address, community and village landmarks, and parents' place of employment. This protection includes use on personal Facebook and other social media sites.

The taking and use of photos of children must follow the Medair Photography and Images Ethics Policy.

6.3 Working with Partners and Third Parties

Local partners must abide with the Medair Child Protection Policy, including specifically what is outlined in the section on recruitment. Medair must ensure that Partners and Third Parties understand and comply with this policy.

Medair will work with partners so that they develop an understanding of the Medair Child Protection Policy and reporting procedures. This includes helping them to mainstream child protection/safeguarding into their own programmes.

6.4 Compliance

Medair will monitor and evaluate the compliance of our representatives to this policy and the effectiveness our child protection procedures and actions. This will include, for example:

- Discussion of compliance to this policy as a part of some regularly-scheduled staff, community, and programme meetings.
- As part of performance reviews, representatives are evaluated on their compliance to their training plan (which may include child protection training) and against any incident reports.
- When possible and appropriate, we will include children in monitoring and evaluation of child-focused programmes using child-friendly methods such as children-focused group discussions.

Medair will collect and analyse all reported breaches of this policy. Medair will ensure that reporting mechanisms are working well and that investigation procedures are followed

Additionally, child protection will be

- An element in Medair's risk register and related reporting processes.

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- Included – by requiring adherence to this policy – in Grant and Partnership Agreements with local partner agencies, and in contracts with vendors and consultants.
- Included as a cross-cutting issue in partner proposal appraisal checklists, and in field monitoring report templates.

The Medair Child Protection Policy will be reviewed at minimum every 3 years or when it is shown necessary that additional issues need to be addressed, such as with a significant change in context or programme.

7. Reporting Allegations and Concerns

Child protection is a complex topic. Speaking out (reporting) when one sees or suspects child abuse can be difficult. The nature of child abuse means that acquiring concrete evidence is often difficult. Staff are more likely to be faced with indirect statements from children, or nonverbal clues and signs, which can be inconsistent (see ‘Recognising the Signs of Child Abuse’ in the **Medair Child Protection Guideline**).

When there is child abuse, staff or other representatives are likely to have feelings of concern, an intuition or a suspicion that abuse is happening. The abused child may not complain and may not even admit that abuse is happening. Staff and representatives can begin to doubt their judgment and/or feel uncomfortable about saying anything or raising the concern, especially if they do not believe they have enough evidence. Because of the often secret and intimidating nature of abuse and the severe impact it can have on children, however, **it is essential that people speak out and report suspected abuse even when they do not have evidence to prove wrongdoing.**

It is not the responsibility of staff or other representatives to decide whether or not child abuse has taken place. All Medair representatives, however, have a responsibility to report any allegations or suspicions of child abuse (related to Medair’s work and the work of our partners or others providing humanitarian assistance) to their manager, to another or more senior manager, to the CPS, and/or to the CPC at Medair’s Global Support Office (GSO).

The Medair person who receives a report of alleged or suspected child abuse must report it to his or her in-country CPS, who will report it to the Medair GSO CPC.

Regardless of who receives the initial report, **all allegations and suspicions** of abuse must be reported to the in-country CPS and Medair GSO CPC – **without exception.**

Complaint and reporting mechanisms will be translated into local languages and be in a format that is readily-accessible to the local community, including children. This may include developing child-friendly means of reporting. Children should be made aware of the kind of behaviour they should expect from staff and others, and how to report any violation of the child protection policy.

8. Investigating Allegations and Suspicions

The **Medair Child Protection Guideline** provides guidance to ensure that all allegations and suspicions of child abuse are properly handled and investigated. However, in order to ensure that investigations start well and that expectations are appropriate, we state here a few of the key principles that must be followed in an investigation.

- The best interest of the child should always guide the reporting and investigation process. The child's safety is paramount at all times and must be ensured. A risk assessment will be done before an investigation starts and continuous assessment will be part of any investigation. If the risk is considered too high, an investigation may not take place, or may be stopped.
- Children are always vulnerable. Medair therefore does not recommend that children are interviewed unless strictly necessary. Medair will always consider if the needs of the investigation outweighs the potential protection concerns for the child.
- If the CPS and CPC decide that a child or children should be interviewed, the child should only be interviewed by someone with expertise in this area. If there is no Medair staff available with this expertise, Medair will seek external assistance. Under no circumstance should a child be interviewed without the presence of an expert.
- Medair is not a law enforcement organisation. Therefore, if it seems a crime has been committed, Medair must report allegations of child abuse to the relevant child welfare and law enforcement agencies. This will ensure that protection and support are given to the child, and that national police can conduct an investigation. In some countries there is a legal obligation to report allegations of child abuse to the national police.
- All information about alleged or suspected child abuse and any ensuing investigation must be kept confidential. It may **only** be discussed with the CPS and other parties designated by them, or with legitimate child welfare or law enforcement officials involved with the case.

9. Potential Consequences

Potential consequences to a Medair employee or other representative who abuses or exploits a child depend on the severity of what was done. For example, minor abuse such as yelling at a child once may lead only to a reprimand, some training, and a note in the employee's personnel file. Proven, criminal abuse will lead to dismissal from Medair and possible consequences imposed by law enforcement agencies.

If an internationally recruited staff (IRS) or GSO employee is found to have abused or exploited a child, in addition to notifying local authorities, Medair will notify appropriate authorities in their country of origin.

10. The Medair Child Protection Guideline

The **Medair Child Protection Guideline** provides additional guidance on

- Forms and consequences of child abuse
- Recognising the signs of child abuse
- Challenges in reporting child abuse
- What to do if a child tells you he or she has been abused
- Screening prospective Medair employees
- Principles for investigating allegations or suspicions of child abuse
- Medair's complaint investigation process

This guideline is for Medair or implementing partner employees who are at the level of manager or team leader and above. It is also for Medair staff and other representatives who work closely with children. These representatives are expected to read, understand, and comply with all aspects of the guideline.