



CHILD PROTECTION AND SAFEGUARDING POLICY

MAY 2023

1.0 BACKGROUND

1.1: About Movement for Community-Led Development Uganda chapter

The Movement for Community-Led Development is a network organizations that believes in the sustainable development happening in communities only when spearheaded by the communities. Our philosophy is based on putting communities at the forefront; building agency, recognizing local voices and resources, and bringing decision making power to local communities. MCLD work rejects the top-down development approaches and is pro #ShiftThePower processes as we believe it is the only pathway to achieving the Sustainable Development Goals.

In Uganda, the Movement has a membership of over 100 CSOs including international, national and local organizations, with the majority being community-based organizations spread across the country. Through the Movement for Community-Led Development, these have more intentionally embraced community-led development knowledge and practices, and explicitly promote CLD approaches in their communities and programs.

1.2 Policy Statement

Movement for Community Led Development does not tolerate any form of child abuse or exploitation. All our work is underpinned by the 1989 United Nations Convention on the Rights of the Child (UNCRC). The Movement is committed to ensuring the fulfillment of children's rights including their rights to protection from harm, abuse, neglect and exploitation in any form. The organisation shall take positive action to prevent those who abuse children from becoming in anyway part of any of the Movement initiatives.

It is the policy of the Movement to conform not only to the minimum requirements of this policy and any laws behind them, but also to the spirit of the policy and laws on which they are based. We entrust each employee, independent contractor or any other person or group performing services on behalf of the Movement, or its partners with our support and commitment to these issues of basic human rights.

This statement will govern all organisation policies, practices and procedures. It is the responsibility of all employees in the organization and contractors performing services on behalf of the organisation to ensure that these guidelines are adhered to. MCLD reserves the right to respond to specific situations related to this policy in such a manner as circumstances warrant as well as the right to terminate, amend, modify, or change provisions of this policy and practice.

1.3 Purpose of the Policy

To create safe and conducive environment for all children in all the Movement for Community Led Development Uganda Chapter aspects where, all children are respected, protected and

empowered to grow and develop their capabilities to ably and actively contribute towards child protection and subjects development strategies within the Movement and beyond.

1.4 Objectives of the Policy

- To ensure MCLD activities promote and protect children and provide conducive environment for children
- To promote child protection and safeguarding in MCLD programming

1.5 Definitions under this Child Protection Policy

Child; a Child is defined as any person under the age of 18 years.

Child abuse is anything which individuals, institutions or processes do or fail to do, intentionally or unintentionally, which harms a child or damages their well-being, dignity and prospect of safe and healthy development into adulthood. It is all forms of physical abuse, emotional ill-treatment, sexual abuse and exploitation, neglect or negligent treatment, commercial or other exploitation of a child and it includes any actions that result in actual or potential harm to a child. Child abuse may be a deliberate act or it may be failing to act to prevent harm.

Child protection is defined in this policy as the responsibilities, preventative, responsive measures and activities that Movement for Community Led Development Uganda Chapter undertakes to protect all children ensuring that no single child is in any way subject to any form of child abuse. Including children' contact with the Movement Staff, Partners, Collaborators, BoD, Associates and organisation Visitors during activity or not.

Child protection according to this policy, involves the organisation's role to make sure that where there are issues over a child's welfare or where a child has been subjected to child abuse, actions are taken to address this; concerns are reported and responded to appropriately and in line with the relevant procedures.

Organisation Staff refers to individuals who are hired to do specific work for Movement for Commuinity-Led Development and receive a regular salary/pay for the work done in any part of the organization.

Organisation Partners, Associates and Collaborators refer to a range of paid and non-paid individuals who have committed to work with or support the Movement in anyway. It includes, among others, members of boards, volunteers, community volunteers, interns; sponsors; researchers; donors/funding partners, consultants and contractors; staff and/or representatives of partner organizations and governments when operating in collaborative engagements with Movement for Community-Led Development.

Organisation Visitors refers to a range of persons who are visiting the Movement for Community Led Development Uganda Chapter and may come into contact with children through the organisation

2.0 SCOPE OF THE MCLD CHILD PROTECTION POLICY

The Child Protection Policy applies to all the Movement for Community Led Development Uganda affiliates including the Staff, Board, Associates, Visitors, Partners, and Collaborators who must comply with its requirements and understand the sanctions that may be applied for contradictions and breaches of this policy.

2.1 Principles of the Child Protection Policy

The Movement for Community Led Development is committed to the well-being of all children and all the MCLD child-centred activities will have to be based on principles of the Convention of the Rights of Children, Declaration of Human Rights, the Uganda National Children's Act, Art.34 and Art.257 (c) of the Uganda National Constitution (amended 2016). These principles among others include: -

- Best interest of the child
- Non discrimination
- Freedom of expression
- Respect for child opinion in matters affecting him/her
- Participation of the child
- All children have equal rights to protection from abuse and exploitation
- Each child has a fundamental right to life, survival and development
- All children should be encouraged to fulfill their potential, and inequality and discrimination should be challenged
- Everybody has a responsibility to support the care and protection of children

2.2 Reasons for Child Protection

Children need to be protected because; they are physically, mentally and emotionally immature and unable to adequately protect themselves. The younger a child is, the more care and protection the child needs. For instance, during the first five years of their lives, children are particularly vulnerable and their survival and well-being depend primarily on their parents or other adult caregivers. As children grow, their physical, cognitive and socio-emotional capabilities evolve and mature, but children are still not fully capable of protecting themselves.

Children who are maltreated are at increased risk of life-long developmental challenges, encountering physical, emotional and social problems. These compromise the economic and social

development of societies, so protecting children from harm is a vital aspect of development programs which the Movement must take-on with other stakeholders.

Children subjected to violence, exploitation, abuse and neglect are at risk of death, poor physical and mental health, diseases, educational problems, displacement, homelessness, destitution and poor parenting skills later in life.

2.3 Responsibilities for those covered by the scope of the MCLD Child Protection Policy

2.3.1: The role and duty of board members

- Ensure that staff are accountable for the welfare of children during organisation activities
- Ensure that a culture of openness exists amongst management and staff to enable any issues or concerns to be raised and discussed
- Ensure that poor/bad cultural practices or potentially abusive behavior by the staff and board or collaborators does not go unchallenged
- Ensure that all staff are aware of, and provide induction to, as well as have access to Child and all other relevant human rights documents
- Ensure that all organization staff are aware of procedures and their responsibilities for reporting concerns

2.3.2: The role of the secretariate of MCLD in child protection

- The Country Coordinator is to ensure that Child Protection Policy is included in the offer letter to all new employees and all the MCLD Uganda Members and various Board members are conversant with the content. As part of the acceptance procedure, employees will sign a declaration of the policy stating that they are aware of its existence and will abide/adhere to it. The declaration will be kept on the staff file and may be referred to in legal proceedings if a staff member is found to be contravening the same policy.
- Plan and organize the Organisation work space to eliminate risks to children
- Be aware of situations and cultural practices which may present risks and ensure these are supervised appropriately
- Parental or guardian consent must be sought for any activity with a child and encourage parental participation in all activities involving their children such as, capturing any images or footages of children.
- Ensure that the parent or guardian understands the purpose of this activity and how the images or footage will be used.
- To report and record any incident of concern about child abuse to appropriate child protection agency.
- Ensure that all beneficiaries of MCLD and children are aware of, and have easy access to reporting authorities and procedures for reporting concerns and complaints

- Build working partnerships with community leaders and professionals with responsibility for child welfare and protection.

2.3.3: Roles and responsibilities regarding child protection to be incorporated into job descriptions

Ask pertinent questions when requesting references for new member of staff particularly with regard to any dealings and work with children prior to joining the organization

Take Note: Movement for Community Led Development Uganda Chapter personnel must never act or make a decision alone where child abuse and or exploitation are suspected. Child Protection is a State and Society responsibility. Decisions are made collectively or by those empowered by the state law to make specific decisions

2.4 Reporting mechanism

All MCLD staff are required to report immediately to the designated focal persons at secretariate level and Board of directors level with any suspicions of violations of the code of conduct on child protection. If a person knowingly chooses not to report an incident, then s/he will be penalised in accordance with laws for promoting crime.

The allegation must be reported directly to the MCLD focal person, who should then provide detailed accounts of an incident including names and contacts of witnesses. Procedures for reporting suspected cases of child abuse to external agencies are to follow local and national laws.

All information gathered and developed is held in the strictest confidence and will be disclosed only on a need-to-know and helpful basis in order to report, investigate and resolve the matter.

However, MCLD may act against the wishes of the reporter in the best interests of the child victim. It must be made clear to all concerned that information of this nature cannot be kept wholly confidential. Resolution requires sharing with the appropriate people in a confidential manner

If its against the Country Coordinator, the board child protection focal person will receive the case

2.5: Personal Conduct outside Work or Association with the Movement

The Movement for Community Led Development Uganda does not dictate the belief and value systems by which the Board, the organisation Staff, Associates, Collaborators and the organisation Visitors conduct their personal lives. However, actions taken by them out of working hours that are seen to contradict this policy will be considered its violation. All MCLD personnel and all collaborators are required to bear in mind the principles of this Child Protection Policy and heighten their awareness of how their conduct might be perceived both at work and outside work

2.6. Advocacy:

MCLD encourages all its staff to collaborate with government department, child care organizations and other professional agencies to promote children's rights, raise awareness of the plight of children and seek public policy changes where necessary. MCLD believes that one of the greatest defenses against child abuse and neglect is a raised consciousness of children's rights and unacceptable adult behaviors among children and families. Promotion of community cohesion and child rights through parent bodies, youth groups, children's councils, among others, creates an environment where strong community feedback and protection mechanisms are central

3.0: IMPLEMENTATION STRATEGY OF THE CHILD PROTECTION POLICY

The Country Coordinator, Board of the Movement for Community Led Development Uganda are duly accountable for this Child Protection Policy. The Country Coordinator as well as the focal persons shall be responsible for its implementation and roll-out in among others the following ways below: -

3.1: Recruitment and Engagement

All candidates, new members, partners ought to be interviewed very carefully with (background check, referees) child protection lens. Selected candidates must sign the child protection policy, disclosure of convictions form and the standards of integrity before commencing employment. There will be also background check for the members joining the Movement.

3.2 Criminal Background Record Check

MCLD reserves the right to perform a criminal background check on current or prospective employees and others seeking contract or affiliation. In the best interests of children, MCLED will not knowingly employ anyone with a conviction for child abuse or a related offense. In the event that local law prohibits this hiring rule, no person with a conviction for child abuse, pedophilia or a related offense may be hired into any position that includes direct access to children or personal information about children.

3.2 : Induction of personnel and members working with children in the Movement

At the beginning of each program and or project, during induction of new personnel and on a continuous basis, all personnel shall consider and be informed of their responsibilities to ensuring Human Rights and Children's Rights are actively upheld. Personnel ought to be aware how the United Nations Convention on the Rights of the Child (1989) applies to their work, society and how the Rights are enforced. The orientation of personnel shall be done specifically to: -

- To equip personnel with the necessary skills in working with children, Movement for Community Led Development Uganda Chapter shall commit itself to continuously build

human resource capacity to ensure that children are protected against all form of exploitation and abuses

- Movement for Community Led Development Uganda Chapter will report any offences against children to the statutory child protection agencies as shall be defined by the laws, policies and practices of the land
- The best interest of the child shall be the primary consideration when addressing issues of infringements on the right of any child
- Decisions resulting from an investigation shall be made by statutory protection agencies in partnership with parents or legally recognized guardians
- Where infringement of rights has led to child abuse or exploitation the police and or judiciary may decide to investigate criminal acts. Since the Movement for Community-Led Development Uganda Chapter is in Uganda – a country which is a signatory to the Convention on the Rights of the Child (1989), the investigation must uphold those Rights

3.3: Training for organisation staffs and members working with children

Appropriate and adequate training and refresher courses ought to be planned and implemented for human resources and collaborators working with children and those supervising them.

3.4: During organization activities, members and staff Must Never Engage-in

- Hit or otherwise physically assault or physically abuse children
- Develop physical/sexual relationships with children
- Develop any form of relationship with children which, could in any way be deemed exploitative or abusive
- Act in ways that may be abusive
- Exploit their own position vis-à-vis the children in child labor or carry out other forms of economic exploitation

4.0 COMMITMENT TO PROTECT children

MCLD commits to protect children from:

4.1 Discrimination

Definition: Discrimination is unequal treatment of individuals or groups on the basis of personal characteristics.

4.2 Harassment

Definition: Harassment consists of unwelcome comments or behavior that is offensive, demeaning, intimidating, or physically harmful.

4.3 Sexual harassment

Definition: Sexual harassment consists of unwelcome sexual advances, comments, jokes, or conduct of a sexual nature.

4.4 Exploitation

Definition: Exploitation is the abuse of power by coercing or leading people into activities that violates their individual's rights.

4.5 Sexual exploitation

Definition: Sexual exploitation consists of misusing a position of power to pressure or demand others to participate in sexual acts.

5.0 Investigation and Disposition of an Incident

The Country Coordinator is to follow established local procedures once an allegation has been reported and to ensure that confidential, thorough, timely and impartial investigation and resolution are performed. Procedural actions by the Country Coordinator will include, but are not limited to: acting immediately if there is risk to the child, performing an internal investigation (which may include interviews of witnesses and others), collecting factual information, gathering documentation, informing the Board Members if applicable, and reporting the incident to external authorities as required by local laws. An MCLD employee who has been brought under investigation by the organisation or by official law enforcement authorities for the abuse of a child will be temporarily suspended or have no access to children during the course of the investigation. The employee will be informed that allegations have been made against him/her and given an opportunity to respond. The individual alleged to have violated this policy will have the opportunity to present his or her view of the events in question before any determination of guilt or innocence has been reached.

The investigation team will consider the incident top priority until the incident is closed. The team will develop a detailed written investigation plan based on established local procedures. Once the investigation is completed, a full written report (findings, recommended actions) will be shared with and approved by the Country Coordinator for action. Following the completion of the investigation, both the person(s) bringing the allegation and the person(s) alleged of a violation will be informed of the results of the investigation and the way forward. Children of Uganda reserves the right, in the event an employee is discharged for proven sexual abuse, to disclose such information if requested by a prospective employer. Disclosures shall be made in accordance with applicable local law and/or customs. The Movement for Community-Led Development will not tolerate any form of coercion, intimidation, reprisal or retaliation against any employee who makes a report regarding possible violations of the Child Protection Policy or any person who

provides information or assistance in an investigation. The Country Coordinator is responsible for implementing all recommended/approved actions.

APENDIX 1: Case Registration and Assessment Form

Personal Information			
Name of Child			
Age		Sex	
Caregiver names			
Relationship with care giver Caregiver			
Telephone		Village of residence	
Parish		Sub county	
Nearest school			
Nearest Health facility			
Nearest Police Post			
Child in school or out of school			
Health condition of child			
Case Details			
What is the concern reported?			
Details of the offender			
Case History (when the violation happened and who has been involved in settlement of this case before)			
Preliminary Case Assessment			
What child right has been violated?			
Foreseen risk factors in the case			
Type of services required (outline both Welfare; Justice services)			
Is this a case within the mandate of the community to handle?			
Immediate Priority Actions required			
Further Case Assessment			
The Child's opinion / wishes			
Caregiver suggestions			
Jointly agreed next steps			

Appendix II Risk Assessment Guide

Type of harm	Level 1 <i>Child Significantly harmed- urgent</i>	Level 2 <i>Child harmed response and</i>	Level 3 <i>Child at Risk of Harm – Monitoring</i>	Level 4 <i>The child no longer at risk: no further</i>
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	<i>response and frequent follow up required [Recommended response within 24 hours & bi weekly follow up]</i>	<i>follow up required [Recommended response within 3 days and weekly follow up]</i>	<i>required [Recommended response within 7 days and follow up fortnightly to monthly]</i>	<i>monitoring required, close case [consider external monitoring with new referral to child protection agency]</i>
Violence (physical abuse)				
Abuse (sexual and emotional abuse)	Any sexual contact between a child and an adult (where person causing harm has access to the child) Child is being persistently belittled, isolated, or humiliated by a significant caregiver	Child is promised to be married The child has been sexually violated in the past and not received any support Significant caregivers approach to the child is harmful (occasional belittling, isolation or humiliation)	Child is treated differently than other siblings and parent is negative towards the child	The child and family have received support and there are no sexual harm factors present Factors causing emotional harm have been addressed. Culprit no longer has contact with the child
Neglect	Serious injury or illness due to neglect (malnutrition with no apparent causal factors)	Lack of supervision Inadequate basic care The child is often left to look after themselves	Caregivers are emotionally distant	The child's basic needs are being met by the caregiver

Appendix III: Case Planning Form

Reference Code:

Date Case Plan Agreed [Date/ month/ Year]: / /

Date of Case Plan Review [Date/ Month/ Year]: / /

Needed Action	Issue the Action Responds to	Responsibility	Due date [Date/ month/ Year]	Comments on progress made [include date]
Persons involved in preparing the Plan:				
Details of anyone who disagrees with parts of the plan and why:				
Reviewed and Approved by:				

Appendix IV: Case transfer Form

Reasons for Case transfer		Reference Code	
Child moving to a new location	Need for specialist services that another agency is better placed to manage	Organisational reasons	Other
If child / family moving: Address Contacts			
Agency Details			
The agency receiving the case:		The agency transferring the case:	
Contact person at the agency:		Contact person at the agency:	
Agency address and contacts:		Agency address and contacts	
Date of transfer [date/ month/ Year]			
Details of arrangements made to support the successful transfer of the case e.g. meetings between agency Caseworkers and points emphasized during the meeting; introduction meeting with Caseworkers; child and family; final follow up visit from transferring agency etc			
Case file contents transferred List documents – whether original or copy		1	
		2	
		3	
		4	
		5	
		6	
		7	
Ensure case closure Form is completed on the final follow up meeting with the child and family			
Form completed by :			
Caseworker Code	Signature:	Date:	
Authorised by:			
Supervisor Code	Signature:	Date:	