



# Ponheary Ly Foundation

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## CHILD PROTECTION POLICY

### OVERVIEW

Ponheary Ly Foundation is committed to the safety and well-being of all children involved in PLF projects. We recognize the United Nations Convention on the Rights of the Child (Cambodia acceded 1992), and maintain a *zero tolerance approach* to child abuse.

In order to protect children from harm, abuse, and exploitation, it shall be the policy of PLF to:

- Take a proactive approach to identifying and minimizing child protection risks
- Educate all staff, interns, volunteers, and visitors about child safe practices
- Maintain an open and aware culture with equal commitment to the primacy of the interests of the child
- Uphold a structure for responding promptly and appropriately to potential abuse
- Establish child safe practices as a guiding principle in all activities and management practices
- Promote a child-safe environment at all times

This policy outlines our commitment to providing all children under the age of 18 that are involved with PLF programs with the safest possible environment. It is fully approved and supported by PLF's Executive Board and Board of Directors, and applies to all employees (paid or unpaid), contractors, consultants, volunteers, visitors, donors, supporters, and any other partner of our organization.

### DEFINITIONS

*Child:* A child is regarded to be any person under the age of 18 years.

*Child Protection:* The term used to describe the responsibilities and activities undertaken to prevent or stop children being abused or maltreated.

*Child Abuse:* Abuse happens to male and female children of all ages, ethnicity and social backgrounds, abilities, sexual orientation, religious beliefs and political persuasion. Child abuse includes physical, sexual, emotional, bullying, child labour and domestic violence.

*Physical Abuse:* Physical abuse occurs when a person purposefully injures or threatens to injure a child or young person. This may take the form of slapping, punching, shaking, kicking, burning, shoving or grabbing. The injury may take the form of bruises, cuts, burns or fractures.



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*Emotional Abuse:* Emotional abuse occurs when a child is repeatedly rejected or frightened by threats. This may involve name calling, being disparaged or continual coldness from parent or caregiver, to the extent that it affects the child's physical and emotional growth.

*Sexual Abuse:* Sexual abuse occurs when a child or young person is used by an older or bigger child, adolescent or adult for his or her own sexual stimulation or gratification - regardless of the age of majority or age of consent locally. These can be contact or non-contact acts, including threats and exposure to pornography.

*Child-Sex Tourism:* End Child Prostitution, Child Pornography and Trafficking of Children (ECPAT) International defines child- sex tourism as: "...the commercial sexual exploitation of children by men or women who travel from one place to another, usually from a richer country to one that is less developed, and there engage in sexual acts with children, defined as anyone aged under 18 years of age" (ECPAT International, 2006).

*Bullying:* Bullying is the inappropriate use of power by an individual or group, with intent to injure either physically or emotionally. It is usually deliberate and repetitive. The bullying may be physical or psychological (verbal and non-verbal).

- Physically, bullying includes pushing, hitting, punching, kicking or any other action causing hurt or injury.
- Verbal bullying includes insults, taunts, threats and ridicule.
- Psychological bullying includes physical intimidation and ostracism.

*Exposure to Domestic Violence:* Domestic violence occurs when children and young people witness or experience the chronic domination, coercion, intimidation and victimisation of one person by another by physical, sexual or emotional means within intimate relationships.

## **RISK MANAGEMENT**

We acknowledge a moral responsibility to the students involved in our programs, and recognize that there are a number of potential risks to children in the delivery of our programs to vulnerable children. We work to proactively assess and manage these risks to children in our programs (and in the communities in which we work) to reduce the risk of harm to the best of our ability. This is achieved by examining each program and its potential impact on children. Using this policy as an outline for strategies to identify and manage risk, we conduct a child protection risk assessment on every new and emerging program and project within our purview. This is an ongoing part of every activity, such that staff and all others involved with PLF should continually be aware of risks and be actively minimizing opportunities and situations where children can be harmed.



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## **STAFF RECRUITMENT & TRAINING**

Through proactive action to promote child safe practices we hope to attract positive role models for children and people who will embrace the same child protection principles as we do, but effectively screening prospective staff is an equally important tool for minimizing risk to children.

In addition to adhering to our Child Protection Policy Code of Conduct, all potential employees, interns, and prospective volunteers who will have contact with children as a part of our recruitment and selection process are required to provide a DBS/Background Check to be screened by relevant members of PLF staff prior to their approval. All information supplied through such checks is treated as confidential and will not be shown or discussed with any outside persons.

Every employee must be aware of the principles and procedures of child protection as well as how to recognize and respond to potential abuse. We have designated a Child Protection Officer who is responsible for the implementation of this policy. S/he is responsible for training, supervision, monitoring, and support of child protection within the organization. S/he will undergo regular training courses to ensure that s/he is capable and competent to lead staff trainings, conduct initial complaint handling, and comply with the reporting processes. All staff will receive training within three months of appointment and be encouraged to approach the Child Protection Officer with any questions on child protection issues. In addition to staff trainings, PLF will host workshops with all students involved with PLF programs regarding child safe practices and the rights of the child.

Visitors to PLF programs are accompanied by at least two members of PLF staff at all times and while not required to provide a DBS/Background check, must adhere to our Child Protection Policy Code of Conduct at all times. No visit shall be made to any PLF program without prior arrangement or without a member of PLF staff present. Any prospective member of staff, volunteer, or visitor who does not wish to comply with these requirements will not be permitted to visit our programs.

## **REPORTING & RESPONSE STRUCTURE**

Our reporting and response structure is centered around maintaining an open and aware culture for staff and all others involved with PLF. It is critically important to us that staff, children, and all others involved with PLF feel they can raise concerns and are aware of the risks and indicators of child abuse, and we seek to build a collaborative framework for child safe practices through open communication. In the event of any incidents, comments, suspicions, or concerns, the case must be immediately reported to the Child Protection Officer and an investigation commenced. All cases of abuse will be investigated thoroughly in line with established procedures. When responding to concerns of allegations of harm or abuse, the ultimate guiding principle will be the best interests and well-being of the child or children involved.



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With the assistance of our Social Worker, a child reporting concerns or claiming to be the subject of abuse will be protected, taken seriously and treated with respect. S/he will be reassured that they are not to blame and will never be treated with disbelief or in a manner that might cause shame or embarrassment. We will seek medical treatment for any injuries, make any necessary further referrals, and assist the child to the best of our ability.

A child abuse Incident Reporting Sheet has been developed and staff have been made aware of its existence and the appropriate reporting process. The Child Protection Officer will be responsible for the dissemination and investigation of all initial complaints and with the assistance of the President and Founder, will make an assessment on the allegation and take appropriate action which can range from no-action, behavioural management, counseling, referring the complaint to local law enforcement/police and dismissal.

In the event of an allegation made in good faith which is shown to be unfounded or untrue, no action will be taken against the maker of the allegation. False and malicious allegations are unacceptable and perpetrators will be subject to appropriate action. Failure of a PLF representative to report suspected child abuse will render the perpetrator liable to criminal sanction and/or termination of employment.

*Who can report?* Children, staff, volunteers, or others involved with PLF

*What to report?* All allegations, disclosures, or observations of child abuse or suspected breaches of the child protection policy and code of conduct

*How to report?* All reports must include a signed and dated copy of the Incidence Reporting Sheet. Reports may be made verbally by children, in which case a member of staff is responsible for completing the Incidence Reporting Sheet on their behalf

*When to report?* All concerns, allegations, or abuse must be reported within 24hrs or as soon as practically possible

*Who to report to?* Concerns for the safety or well-being of a child must be reported to the Child Protection Officer. Any child abuse allegations against staff must be reported to the Child Protection Officer, the President, or Vice President of the board

*What will happen?* The situation and information will be immediately assessed. An investigation and a confidential report will be made in compliance with this policy or within the context of local/country legislation.

*What are the possible outcomes?* Criminal matter or child protection report made to police or child protection authority. Victims and alleged offenders safety need to be assessed and responded to. Breach of this policy and/or code of conduct can result in performance management or termination of employment. Feedback and consultation to be given where possible to those directly involved or affected protection confidentiality and privacy. Debriefing and counseling to be offered if needed.



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## CHILD PROTECTION POLICY: CODE OF CONDUCT

I, \_\_\_\_\_ in the course of my association with Ponheary Ly Foundation,

### WILL:

- Treat all children with respect and equal consideration regardless of race, skin color, sex, language, disability, religion, political or other option, national, ethnic, or social origin, birth or other status
- Provide a welcoming, inclusive, and safe environment for all children, young people, parents, family, guardians, employees and volunteers
- Comply with local, national, and international child protection laws
- Dress suitably and in accordance with Cambodian cultural expectations
- Display appropriate language, actions and relationships with children at all times. This includes waiting for appropriate physical contact, such as holding hands, to be initiated by the child, and extends to giving extra care to protecting the reputation of both female children and staff by ensuring that language and behavior at all times reflect appropriate male-female relationships, which are respectful of Cambodian culture and customs
- Ensure that, whenever possible, another adult is present when I am working with children, or in the proximity of children
- Avoid any situation where my actions could be misinterpreted, or report to my supervisor if my position requires such involvement
- Advise my supervisor if I am investigated for any crime or charged with any criminal offense
- Recognize that any person working closely with children is in a particular position with regard to their power and influence over a child, and will work diligently to prevent any abuse of this position
- Encourage children, volunteers, and other staff members to speak up about issues that affect them and promote awareness of child safe practices
- Immediately report concerns or allegations of child abuse in accordance with PLF's reporting process
- Accept paramount duty to safeguard the welfare of all children involved in PLF programs, without exception

### WILL NOT:

- Use inappropriate language - whether of an offensive, discriminatory, demeaning, abusive, or sexual nature - when speaking with or whilst in the presence of a child or young person
- Engage in behaviour to punish, shame, humiliate, belittle, or degrade a child - emotionally, physically or otherwise
- Act in a sexually provocative manner or engage children in any form of sexual activity, including paying for sexual services
- Hold, kiss, cuddle, or touch a child in an inappropriate, unnecessary, or culturally insensitive way



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- Spend time with or contact any child connected with PLF programs outside of the requirements of my position. This includes meeting students outside of school grounds, communication via social media, or taking a child on a motorbike, tuk tuk, van or other mode of transportation without making prior arrangements and informing my supervisor
- Invite unaccompanied children into my home or accompany them to their home, unless they are at immediate risk
- Show preferential treatment to any child through gifts or special concessions
- Do things for children of a personal nature that they can do for themselves such as toileting them or changing their clothes

## **CONFIDENTIALITY**

All PLF staff, volunteers, visitors, and those involved with PLF activities in any capacity are required to share the burden of information protection. The ability to share information and allow the use of photography, video, or other media is dependent on agreement with the following conditions:

- I recognize PLF's need to retain and maintain significant amounts of data and information, personal, organizational, or otherwise, and I recognize the obligation to maintain the confidentiality of such information.
- During and after my involvement with PLF I may become privy to information relating, for example, to PLF's finance, personnel, projects, plans or problems. I undertake to keep PLF's information disclosed to me or discovered by me, in strictest confidence and will not disclose or use it beyond what is normal and necessary in the conduct of my relationship with PLF, without PLF's agreement.
- If I wish to write or share photos/videos about PLF for publication or personal gain, lecture about its activities or impact, or engage in similar such activities, I will seek specific approval from PLF, which will be provided in writing by an authorized member of PLF.

## **PHOTOGRAPHY AND MEDIA**

Taking photos/videos of student activities is more than welcome. But please remember that you are visiting students and not a zoo. We ask that you to engage with students first, respect any expressions of being uncomfortable in the spotlight, and ensure that your photos/videos present children in a dignified and respectful manner. Be aware of the kinds of photos/videos that you are taking and imagine how you would want others to behave if they were at your children's school, taking photos of them.

In using PLF related information on social media, I agree with the following conditions:

- I will be sensitive to the need to protect the privacy of PLF related individuals and not publicize the addresses, other identifying information beyond a child's first name.
- All persons depicted in my photos/videos adequately dressed, honestly represented, and never photographed in an intrusive or insensitive manner, such as in sleeping areas, people bathing, or in distress.



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- I recognize that, while sharing the stories of PLF and its programs is an important and useful means for positively promoting PLF's work, the interests and protection of children involved with PLF are of primary importance.

## **GIFTS AND CANDY**

Foreigners giving things to kids fosters a “something for nothing” syndrome and forges the link between “foreigner” and “free stuff”. We do not want to instill a sense of dependency, and there are many instances where this seemingly positive relationship has been abused. Well-meaning visitors to Cambodia have already inadvertently created enough beggars and scams at the temples and in Pub Street. We do not want to add to this phenomenon.

This is especially true when it comes to candy. PLF does not ever give candy to children and does not allow volunteers or guests to give it either. We have a dedicated hygiene program in place to put students in the habit of brushing their teeth every morning and to teach them about the importance of dental health. Instead of candy, please consider bringing toothbrushes and toothpaste.

It's a great thing to reward students for hard work, and to empower teachers by having them be the ones to give supplies and prizes to students. Students should look to their teachers, school, and community for what they need to succeed, not to visitors. Please do bring educational toys and school supplies to donate to PLF, but understand that we will put them with our teachers and field directors, who will distribute them amongst the students and programs that are in the most need.

## **AGREEMENT**

*I agree to comply with Ponheary Ly Foundation's Child Protection Policy and Code of Conduct. I understand that a breach of the policy or code may provide grounds for my employment/engagement with Ponheary Ly Foundation to be terminated.*

*I also understand that a breach of the policy or code could result in criminal prosecution. I understand that it is my responsibility, as a person engaged by Ponheary Ly Foundation, to use common sense and avoid actions that are abusive or exploitative of children or young people, or could be construed as such.*

*I authorize Ponheary Ly Foundation to undertake any necessary inquiries, including DBS/Background Checks, as a part of my appointment or recruitment process. I confirm my willingness to participate in Ponheary Ly Foundation training sessions on child protection and my commitment to promoting child safe practices at all times.*

SIGNED: \_\_\_\_\_

DATE: \_\_\_\_\_