

Child Protection Policy

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Introduction

It will be the unequivocal policy of Pagna Cambodian Education Fund that child abuse, in any form, will not be tolerated. From here on out Pagna Cambodian Education Fund will be referred to as PCEF.

The UN Convention on the Rights of the Child states that:

- All children have equal rights to protection from abuse and exploitation
- Everybody has a responsibility to support the care and protection of children.
- The duty bearers are accountable to eradicate child abuse.

Definitions

- A child means every human being below the age of eighteen years.
- Child abuse means sexual abuse or other physical or mental harm deliberately caused to a child.
- Child Protection Policy is a statement of intent that demonstrates a commitment to protect children from harm, and clearly defines what is required to protect the children attending PCEF or participating in any functions related to PCEF. The policy will be followed by administrators, employees, visitors, students, and any other person who comes in contact with the children of PCEF.

Statement of Commitment

While providing a quality education to the students attending PCEF, the first priority will be protecting the safety of the students. PCEF is committed to ensuring that the children are not exposed to abuse, exploitation, violence or neglect.

Best Interests of the Child

All decisions and actions concerning a child will take the best interest of the child as the most important consideration. It is the policy of PCEF that decisions or actions regarding any child or group of children will ensure that the positive impact of the decision or action outweigh any negative impact.

Non-Discrimination

It will be the policy of PCEF to enforce a policy of non-discrimination at all times. All children will be treated with respect and will be treated with equal consideration.

Participation and Self-Determination

PCEF abides by the principle that a child has the right to have his or her views taken into account in accordance with their age development in major decisions affecting their life. They will be given the opportunity to express their ideas and views and be heard on matters affecting them.

PCEF will in all cases give serious consideration to the child's wishes (and those of their legal guardians where appropriate) throughout the decision-making process.

The guidelines in this Child Protection Policy protect both the child from abuse and adults from false accusation.

It will be the policy of PCEF to:

- Respect the rights and dignity of the children, families and communities with whom we work and always act according to the best interests of the children
- Demonstrate commitment to actively preventing child abuse
- Take positive action to prevent child abusers from becoming involved with PCEF and to enforce stringent measures against any associate of PCEF who commits child abuse

To ensure the above commitment, PCEF is committed to upholding the:

- United Nations Convention of the Rights of the Child
- Cambodian constitution, especially articles 41 and 42 (Please see Appendix I)
- Current and future Cambodian laws and tools on child rights
- Positive traditional practices

Policy Participants

This policy applies to all associates of PCEF including teachers, administrators, volunteers, and any other employee. It will also apply to any visitors to the premises including, but not limited to, tourists, contractors, consultants, friends, parents or visiting officials. PCEF will appoint a Child Protection Officer (CPO) who is responsible for ensuring that the Child Protection Policy is distributed and understood by all associates of PCEF.

All employees and regular visitors to PCEF shall receive a copy of the relevant policies and shall acknowledge their receipt of, and their responsibilities under, the policy.

The School Administrator and the Child Protection Officer will advise and assist all employees of PCEF about the child protection policies and will be responsible for the effective implementation of the policy.

Visitors to PCEF

- Visitors to the school should make advanced arrangements with the School Administrator prior to their visit
- Visitors should remain accompanied by a staff member and no visitor shall be left alone with

children during their visit

- Photography is permitted with permission from the School Administrator or a senior member of the staff

Personnel Recruitment, Screening and Orientation

- All prospective teachers or other employees will be informed of PCEF's Child Protection Policy
- Screening of applicants will include a personal interview and receipt of a valid form of identification. During the interview process, applicants will be asked about previous work with children
- Where possible and permissible by local law, applicants for positions as a staff member or volunteer are requested to give permission for a criminal record or police check for any conviction related to child abuse or other relevant offenses. Expatriates will be subject to the same background checks as possible and permissible by law in their home countries
- PCEF reserves the right to terminate a contract if reference checks (and background checks in the future) reveal that the person is not suitable to work with children or for any reason that may put children at risk
- The Child Protection Policy will be reviewed during new staff orientation, and the CPO shall ensure all new personnel acknowledge in writing their receipt and understanding of the policy with signed copies of their acknowledgement kept in the personnel files

Code of Conduct for PCEF Personnel

A code of conduct gives guidelines deemed to be appropriate and proper behavior for PCEF associates when interacting with children. They are primarily designed to protect children but are also intended to protect personnel from false accusations of inappropriate behavior or abuse.

- No child is to be taken on a motorbike, tuk-tuk, or car without making prior arrangements with the administrator or CPO
- No child is to be taken to any employee's home, guesthouse, hotel or accommodation
- Teachers and associates are not permitted to take any child to a café, restaurant or buy them food, unless permission has been given by the Administrator or CPO
- No presents are to be bought for the children without prior approval from the Administrator or the CPO
- PCEF teachers and associates should not act in ways intended to shame, humiliate, belittle or degrade children or perpetrate any form of emotional abuse
- PCEF associates must display appropriate language, actions and relationships with children at all times. Extra care should be given to protecting the reputation of both female children and PCEF staff by ensuring that language and behavior at all times reflect appropriate male-female relationships, which are respectful of Cambodian culture and customs
- The PCEF Staff must take extreme care when interacting physically with the Children. Members of the staff must not fondle, hold, kiss, hug or touch minors in an inappropriate or culturally insensitive way. Under no circumstance should any physical contact be or have the appearance of being sexual in any way. Any physical contact whatsoever should be initiated by the child.
- PCEF personnel must not exert inappropriate physical force when dealing with the Children. This includes pushing, shoving, hitting, slapping or any other action that could cause fear, intimidation or distress

- PCEF personnel are responsible for their actions and reactions to children at all times. The adult is always considered responsible for his or her actions regardless of how a child behaves towards them
- Where possible and practical staff should implement the ‘two-adult’ rule, whereby two or more adults supervise all activities with Children. If for any reason an individual conversation or counseling session is warranted with a child, another adult must be within visual contact
- Inappropriate conduct toward children, including failure to follow the behavior standards stated above, is grounds for discipline, up to and including dismissal from employment and/or police notification and legal action

Reporting and Investigating Abuse or Suspected Abuse

PCEF takes child abuse very seriously. Child abuse in any form including physical, emotional or sexual abuse is a serious offense. Any infringements of this type will be prosecuted to the full extent of law. Child abusers are not likely to remain in an environment where workers are trained to identify and report suspicious behavior. For these reasons, all personnel are responsible for reporting suspected child abuse or exploitation of any kind.

Any person who has knowledge of, suspects, or has witnessed a potential child protection issue involving PCEF personnel should immediately contact the CPO or the School Administrator. A report should be made immediately, within 24 hours, to allow for early intervention and a prompt investigation. This verbal report should be followed with a written statement within a further 48 hours. Failure to report suspected child abuse or misconduct may result in disciplinary action.

On receipt of the report, the CPO or School Administrator will begin an internal investigation and where appropriate file a complaint with the relevant Police, NGO and/or Authorities. Full cooperation will be afforded them during any external investigation.

The internal investigation will be launched within 48 hours of receipt of the complaint and will be carried out by the Administrator and CPO. The directors of the PCEF shall also be notified of the investigation.

The rights and welfare of the child is of prime importance to PCEF and, therefore, any investigation will aim to respect the privacy and safety of the child and to make the investigation as child friendly as possible.

Response to Internal Investigation Findings

1. At the conclusion of the investigation, the associate, the child and/or his or her family as appropriate should be informed of concerns or allegation, the results of the investigation and what corrective action, if any, will be taken
2. In the event an allegation is proven to be untrue, or even fabricated, appropriate steps will be taken for follow-up with the person who has been accused, the child, and the person who reported the incident. Efforts will be made to provide assistance to an associate accused of abuse with children, including counseling or other appropriate forms of support
3. If abuse is proven by the investigation, every effort will be made to assist the child in coping with any physical or emotional trauma he or she may be experiencing. This may include medical

treatment, psychological counseling or any other form of assistance deemed necessary and appropriate

4. If the investigation concludes that child abuse has occurred which is not subject to criminal prosecution, staff will be subject to disciplinary action within PCEF, up to and including dismissal

5. If the investigation concludes that abuse has occurred which is subject to criminal prosecution according to national laws, all findings will be reported to the relevant national police authorities and full cooperation afforded them during an external investigation

6. In the event an associate is discharged for proven child abuse, PCEF will disclose such information as requested by police, a prospective employer, etc. Such disclosures will be made in accordance with applicable law and/or customs

I have read the complete PCEF Internal Child Protection Policy. I fully understand and agree to follow all procedures contained within.

If at any time I fail to follow the guidelines set forth by the PCEF Child Protection Policy I understand that my employment / association may be terminated by the School Administrator and appropriate action will be taken.

Staff/Volunteer/Associate Signature Date _____/_____/_____

CPO/Organization Signature Date _____/_____/_____

Appendix 1.

Royal Government of Cambodia Constitution (unofficial translation)

Article 41: Causing wounds on purpose:

- Anyone who beats/fights another person on purpose resulting in permanent disability must be punished by putting them in prison for 1 to 5 years.
- If they cause temporary disability less than 6 months they must be punished and put in prison for 6 months to 2 years.
- If it doesn't cause disability they are to be punished by putting them in prison for 2 months to 1 year.
- If using any kind of weapons must be punished 2 times more.

Article 42: Rape

- Anyone who rapes another, even the same sex or opposite sex by touching or actions involving sex must be punished to put in prison for 1 year to 3 years.
- If the rape is conducted by coercing a victim younger than 16 years old then the person who commits this must be punished 2 times more.