



SAEP CHILD & YOUTH PROTECTION POLICY

FOR SAEP REPRESENTATIVES AND SUPPORTERS

INTRODUCTION

The main objective of the Children's Act of South Africa is to give effect to children's constitutional rights to family and parental care, alternative care, social services, protection from maltreatment and abuse and to ensure their best interests¹.

This document demonstrates SAEP's commitment to safeguard the interests of children and youth. It is composed of our Child Protection Policy and our Child Protection Code of Conduct, to be read in conjunction.

The **Child Protection Policy** outlines the procedures and protocols to be followed within the organisation to ensure that the safety of our beneficiaries remains our priority and in line with our guiding principles. Our **Child Protection Code of Conduct** specifically outlines the rules of behaviour that need to be followed when dealing with our beneficiaries.

COMPLIANCE

All SAEP staff, board members and supporters (including volunteers, interns, tutors, mentors, students, consultants and visitors), who will engage with our beneficiaries or other children in the schools, communities and networks within which we operate, through any of our programmes or events, are obliged to abide by this policy and code of conduct without exception.

DEFINITIONS

Child is anyone under the age of 18

Young person/s (YP) is/are any learner/s or student/s between 18 & 25 years

ECD Early Childhood Development

Physical abuse – the use of physical force against a child or YP (including but not restricted to hitting, kicking, burning, poisoning, shaking and bullying) that causes harm or potential harm.

¹ Guide to Children's Act for Health Professionals, UCT Children's institute ed. 2010

Sexual abuse – the use of children or YP for sexual benefit by an adult or older child (including but not limited to rape, inappropriate touching and/or sexual comments, sexual harassment, expectations of sexual favours, using children in pornography, showing children pornography, and use of social media with inappropriate sexual messages).

Emotional/ psychological abuse – verbal or psychological acts (including use of social media) towards a child or YP which can damage their self esteem and confidence, and cause fear or anxiety (including but not limited to threats of physical or sexual abuse and/or neglect, communicating in disrespectful, demeaning and humiliating ways, and blackmail).

Neglect – the failure to give a child or YP what is considered culturally necessary for their development and their wellbeing (physical and emotional). It also includes turning a blind eye to abuse which is suspected but not reported.

Child exploitation – any practice which uses a child or YP for personal or financial advantage, labour or sexual benefit, to the detriment of the child or YP, whether it is consensual or not.

The Children's Act 38 of 2005 - consolidates all laws and reforms enabling different government bodies, at both national and provincial level, to work together in ensuring that the interests, safety and protection of children are upheld at all times through various prevention, care, judicial, and intervention programmes.

Department of Social Development (DSD) - the government body mandated to ensure the protection of South Africans, in this case, the children and YP, against vulnerability, neglect and abuse.

National Child Protection Register (CPR) – maintained in the DSD office in Pretoria. Part A of the register comprises records of abuse, circumstances surrounding the abuse and related information; while Part B contains the list of any people deemed unsuitable to work with children as a result of previous incidents.

CPR Form 30 – a form submitted to DSD to enquire if an employee or potential employee/ volunteer has been reported or recorded in the CPR database. If so DSD will notify the employer accordingly.

Social Worker – an appointed registered professional who is responsible for helping children or YP, individuals or families to cope with various social challenges to enhance their well-being.

Social Service professional - any other practitioner trained in the wide area of social service to ensure that cases are reviewed appropriately according to individual training, skills or line of expertise.

Representatives – are individuals or team members hired or recruited by SAEP as board members, consultants, staff members (full/part-time employees), interns or volunteers (both foreign or South Africans).

Supporters – these are individuals or collective sets of people who render support to SAEP in one form or another, e.g. donors, funders, partners, guests, visitors, contractors, fans or followers, etc.

Public media channels – include emails, social media platforms, chat applications, etc.

DFAT –Department of Foreign Affairs and Trade (Australia)

Relevant Laws and Policies:

This policy is guided by the **Children’s Act** (38 of 2005), the **Constitution of South Africa**, the United Nations Convention on the Rights of the Child (**UNCRC**) and **UNICEF CHILD PROTECTION POLICIES AND PROCEDURES TOOLKIT** [www.unicef.org/violencestudy/pdf/CP Manual - Introduction.pdf](http://www.unicef.org/violencestudy/pdf/CP%20Manual%20-%20Introduction.pdf). The policy also complies with the **Australian Aid AVI Guide to Child Protection Policy Development** (best practice and minimum standards).

RECRUITMENT

1. Once the formal hiring or recruitment process has been completed and confirmed, **all Representatives** must complete a Personal Information Form which will detail the individual’s personal information such as full name, address, telephone number, ID or Passport number, emergency contact number, etc. The form along with a copy of their ID or passport must be submitted to the HR department for processing, confirmation and recording to our internal database on Salesforce. In case a Representative is an appointed driver, a copy of his/her valid driver’s licence is also submitted.

2. **All Representatives** are required to fill-in the DSD Child Protection Register form 30 along with a copy of his/her ID or passport. These documents are sent by our HR Department to the DSD office in Pretoria for background verification. Individuals are encouraged to disclose or report any known charges or convictions relating to a crime or offence committed against children or young person (including those under traditional laws).
3. **All Representatives** who are residents of South Africa are required to secure a Police Clearance Certificate prior to commencing their employment. This also includes foreign nationals (e.g. interns or volunteers) who have lived in South Africa for at least two months.
4. Note that foreign nationals, e.g. interns or volunteers, who intend to work with SAEP for longer than 3 months, are usually required by the Department of Immigration to submit a Police Clearance Certificate from their home country &/or where they have recently been living when applying for a South African Visa.
5. Should there be a delay in securing the certificate from the local SA police station and the work appointment cannot be delayed, an *interim appointment agreement* may be issued by the SAEP Director, subject to the confirmation of the results of the police clearance. Should the result of the police clearance process bear any prior criminal history, SAEP reserves the full right to terminate the appointment of the individual on the grounds that he/she poses a potential risk to the children, young person or to the organisation in general.
6. As part of our general recruitment process, at least two verbal reference and background checks are conducted by SAEP on the candidate to ensure that applicant's details are legally correct. SAEP may require additional forms of documentation to further support the application.
7. In addition to the above, SAEP performs rigorous interviews on the individual and their references, particularly for roles that involve contact with children or young persons. The interviews include behaviour-based questions such as conflict resolution, emotional intelligence, theories and practices, family and child welfare, attitudes and protection of children and young people etc.

8. **All Representatives** undergo regular performance reviews and check-ins by their supervisor or manager and also attend relevant training, mentoring or coaching, networking & learning for their continued self-development.
9. The SAEP Employment Handbook details the various policies, procedures and protocols to be followed by all representatives; and severe repercussions can be meted out to those who violate the law or SAEP's general Code of Conduct².
10. All employee contracts/ volunteer agreements contain a provision for dismissal/ suspension/ transfer if personnel are under investigation for breaching this code of conduct.

TRAINING

SAEP commits to holding a compulsory Child Protection Policy refresher session for all staff and volunteers in contact with children, usually during the first quarter of each year. The session is conducted by our in house social worker, programme manager or by a guest speaker.

In addition, SAEP requires those who work directly with children and young people, to attend regular Child Protection Training and Workshops either within the organisation or hosted by other service providers, to update themselves on relevant issues, topics or concerns.

Aside from child maltreatment topics, discussions may include gender-based violence, child safety and awareness, therapy, trauma, counselling, facilitation, interviews and assessments, parental and guardian responsibilities, community work and advocacy, disabilities, children rights and responsibilities, and other appropriate topics, to ensure that victims are protected and are empowered.

Our ECD Programme has developed its own Child Protection Training Manual which the team actively uses for training the ECD centre principals and practitioners, as well as for use within the organisation.

² Section 4 of SAEP's Employee handbook

RESPONDING AND REPORTING PROCEDURES

For individuals working with children or young people, it is important to be able to recognise signs of suspected child abuse or neglect. The World Health Organisation defines child abuse as any form of physical, psychological, emotional maltreatment or neglect or exploitation, that causes actual or potential harm to the child/young person's health, survival, development or dignity in the context of a relationship of responsibility, trust or power.

1. All Representatives of SAEP, therefore, have the statutory responsibility to report maltreatment of children/ young people, abuse or suspected child abuse, deliberate neglect or exploitation.
2. If a child or young person discloses that they have experienced abuse or are at risk of abuse, the SAEP representative should keep calm and give their time and attention to the child/ young person, reassure them that they were right to tell, allow them to use their own words to tell, let them know what will happen next, not make promises which cannot be kept, try to ensure the immediate safety of the child/ young person, and not confront the alleged perpetrator;
3. In cases of abuse, the disclosure (even it still warrants further investigation and due process) must be taken seriously, so as not to leave the child or young person at risk without any form of support or protection.
4. All cases or suspected cases of abuse or neglect must be reported to any two of the following SAEP representatives – the Social Worker, Programme Manager, Director within 24 hours.
5. In the event that the SAEP Social Worker, Programme Manager and Director are not available, the case may be referred to a social service professional who will be able to assess the merits of the case and decide on appropriate intervention.
6. If the alleged perpetrator happens to be an SAEP Representative, then the case must be reported to the Director immediately. If the alleged perpetrator is the Director, then the case must be immediately reported to an SAEP Board Member.

7. An incident report must be filed using the prescribed Incident Report Form (attached) and must be signed and dated by the person reporting. The incident report must state the victim's name, address, the parent(s) or guardian's contact details, and as much detail as possible of what was reported, heard, or the reasons for concern.
8. The Representative will make notes in the Incident Report of his/her own observations, as well as any initial course of action taken, including an assessment on the potential personal risk or threat to the victim such as self-harm, suicide, and report to the police if the situation warrants it.
9. All information related to the case is confidential and may not be disclosed to anyone, except to persons or authorities such as the police, judicial representative, or board member(s) as warranted.
10. The Social Worker or equivalent Representative will make due referrals to authorities as necessary; and will make follow-up consultations with the victim and the authority to ensure that the case along with desired interventions are appropriately handled, until such time when the case can be declared "closed" at least from the SAEP standpoint.
11. All the steps taken, and forms of support provided, and consultations made must be recorded in the victim's file, which must be kept confidential, under lock and key.
12. Every child or young person should be encouraged to speak out about his or her own experience in the language he or she is most comfortable with. An interpreter may be asked to translate if necessary.
13. In cases where it involves any of SAEP's Representative, a full investigation and disciplinary procedure will be followed as bound by the contents of The Children's Act, the contents of his/her employment contract, and the applicable labour laws of South Africa.

The Children's Act requires mandatory reporting of child abuse, neglect or exploitation. Failure to do so is a crime.

RISK REGISTER

SAEP maintains a risk register for the organisation, in addition to risk registers for each programme and department. These are reviewed regularly and updated by coordinators, managers, the Director and Board members.

The risk registers list every foreseeable risk that can be identified within each area of responsibility, along with a corresponding plan of action to ensure that each risk is either satisfactorily addressed, diminished, or significantly reduced (in cases where the risk is beyond our direct control).

The risk registers are reviewed and updated once every quarter, unless there is an imminent reason to do so more frequently.

The overriding concern is the interests and safety of every child and young person we work with.

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YEARS

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CHILD & YOUTH PROTECTION CODE OF CONDUCT FOR SAEP REPRESENTATIVES AND SUPPORTERS

This Code of Conduct outlines the rules of behaviour that need to be followed by SAEP Representatives and Supporters when working with children and/or young persons. SAEP has zero tolerance for child maltreatment and actively advocates to help in one form or another to irradiate this scourge in society.

This Code of Conduct is aimed at ensuring that the safety, care, protection and development of a child or young person is not compromised at any given time.

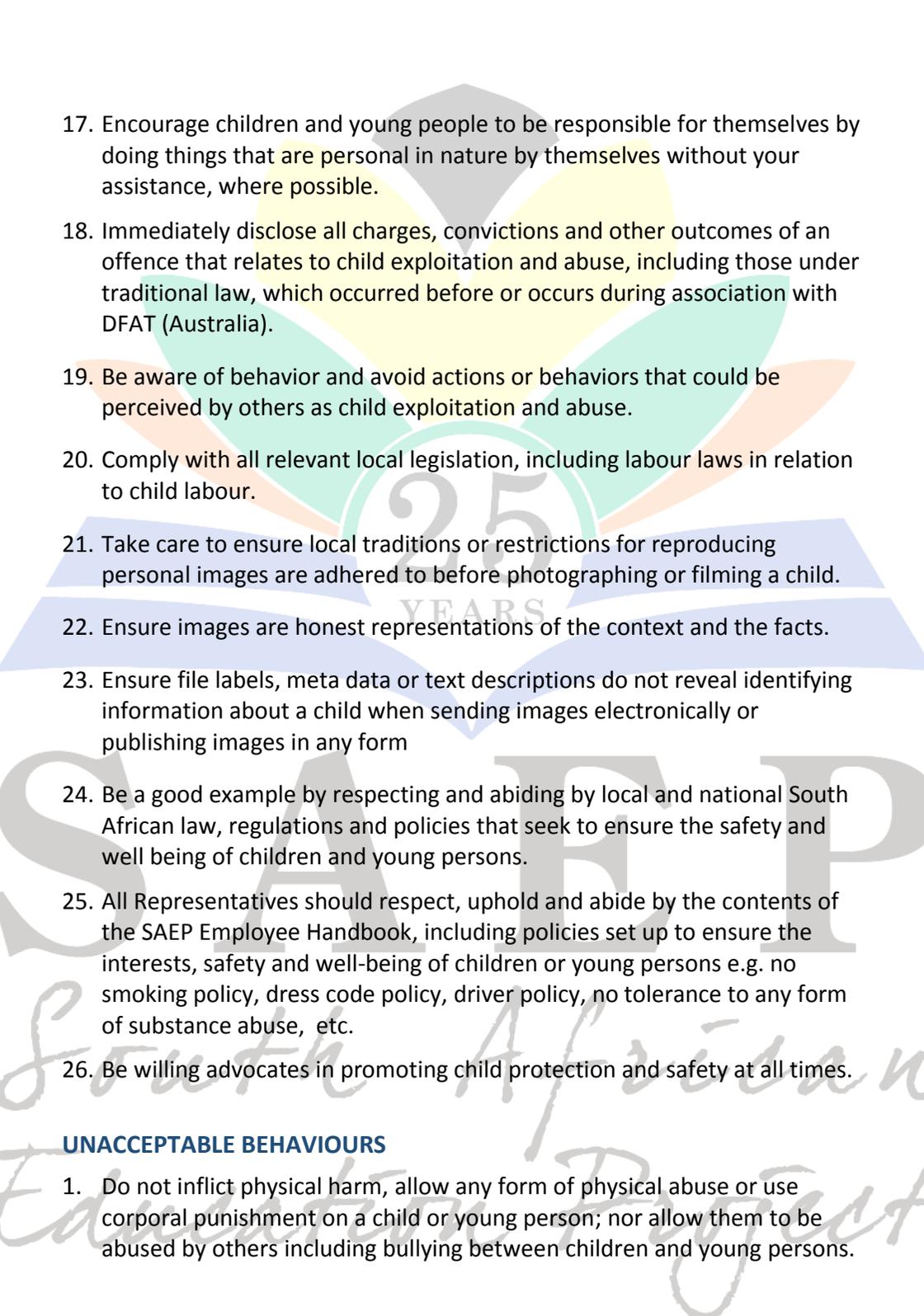
All Representatives and SAEP Supporters is expected to exhibit the following -

ACCEPTABLE BEHAVIOURS

1. Treat every child or young person, individually or collectively, with respect.
2. Promote safety, participation and empowerment regardless of the child's or young person's age, cultural background, disability, language, race, gender orientation or financial capacity.
3. Conduct themselves in a positive manner, act professionally and be an ideal role model to children and young persons, consistent with their position as an employee, intern, volunteer, donor, partner, funder etc.
4. Listen, respond and provide support to a child or young person who discloses maltreatment, abuse or neglect; and offer counselling or referral, whichever is deemed most suitable in the circumstances.
5. Report suspected or disclosed abuse or maltreatment to identified channels within 24 hours³.
6. Report any behaviour or observations that you might have pertaining to a child or young person that could raise concerns, such as provocative behaviour, language or acts; signs of substance abuse, etc.
7. Create, establish or maintain a child-safe environment at work, in the schools, at home, in the communities and in public.

³ See Page 5 Responding and Reporting Procedures

8. Encourage children or young persons to behave in a respectful manner towards one another and towards others, and not to condone any form of abusive, hurtful or destructive language or behaviour.
9. Exhibit “best practice” in the quality of their work and be aware that they are accountable for their own actions at all times.
10. Encourage the reporting of any incident of poor practice, non-compliance, or undesirable behaviour.
11. Any Supporter who wishes to visit our programmes may only do so in the presence of an SAEP Representative.
12. Any supporter who intends to visit any of our programmes and especially wishes to interact with our young beneficiaries, e.g. play, talk, interview, examine, etc. is required to read, sign and abide by the contents of this Child Protection Policy and Code of Conduct.
13. In the interests of safety and to mitigate risk, no Representative is allowed to be alone with a child or a young person at any given time; the presence of another Representative is always required. This includes transporting a child or young person to any destination.
14. In instances where a meeting with a child or young person needs to be in a private safe space, e.g. counselling session with a social worker or social service professional, another Representative needs to be present within reasonable distance from the meeting room, the door must not be locked and the second Representative needs to observe and record that the meeting has been conducted in a professional manner and ensure that interests and safety of the child or young person is not compromised.
15. In instances where a meeting with a child needs to be in a private safe space, the written consent of both the parent and the programme manager/Director need be secured prior to the meeting.
16. The views of every child and young person must be given due consideration, taking into account their age, maturity and stage of development, so as to be able to participate in any matter concerning them.

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17. Encourage children and young people to be responsible for themselves by doing things that are personal in nature by themselves without your assistance, where possible.
 18. 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 DFAT (Australia).
 19. Be aware of behavior and avoid actions or behaviors that could be perceived by others as child exploitation and abuse.
 20. Comply with all relevant local legislation, including labour laws in relation to child labour.
 21. Take care to ensure local traditions or restrictions for reproducing personal images are adhered to before photographing or filming a child.
 22. Ensure images are honest representations of the context and the facts.
 23. 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
 24. Be a good example by respecting and abiding by local and national South African law, regulations and policies that seek to ensure the safety and well being of children and young persons.
 25. All Representatives should respect, uphold and abide by the contents of the SAEP Employee Handbook, including policies set up to ensure the interests, safety and well-being of children or young persons e.g. no smoking policy, dress code policy, driver policy, no tolerance to any form of substance abuse, etc.
 26. Be willing advocates in promoting child protection and safety at all times.

UNACCEPTABLE BEHAVIOURS

1. Do not inflict physical harm, allow any form of physical abuse or use corporal punishment on a child or young person; nor allow them to be abused by others including bullying between children and young persons.

2. Do not condone any form of verbal or emotional abuse through the use of expletive language, threats, suggestions, advice, or act in ways which are inappropriate, offensive, demeaning, shaming, or culturally inappropriate about or towards a child or young person.
3. Do not develop any physical or sexual relationship with any child or young person; nor behave in any way in which this might lead the child or young person to suspect that such is the intention. This includes sexually provocative gestures or language, even if a child or young person “appears” to be behaving in a sexually provocative way.
4. Do not offer or lure a child or young person with monetary gifts, bribes, goods, services, materials or favours in exchange for sex or sexual services.
5. Do not invite a child or a young person into a private home or location nor ask them to stay overnight, except where there is a compelling reason for doing so, such as an imminent or impending danger or harm to the child or young person. However, in such an event, the Director must first be briefed on the situation and give prior consent.
6. Do not sleep near a child or a young person unless there is a compelling reason for doing so, eg. On a camp where external dangers are present (in which case the Director must first be informed and give prior consent).
7. Do not allow a child or young person to participate, engage in or be tasked with any form of activity which could present harm, injury or risk to themselves or others.
8. Do not encourage or allow a child or young person to do regular tasks that could be deemed as child labour.
9. 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.
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11. No Representative or Supporter of SAEP should engage in any form of human trafficking or illegal organ donation.
12. No Representative or Supporter may develop any form of relationship with a child or young person that is deemed exploitive or abusive.
13. No Representative or Supporter may “unfairly” discriminate against a child or young person, individually or collectively, or show undue preferential treatment or favour over another, to the explicit exclusion of another/others.
14. Do not drink or take illegal drugs in the presence of children/ young people, or encourage or allow them to do so.
15. Do not smoke in front of children/ young people.

Our Guiding Principle: Where there is any doubt about a course of action, the overriding principle should be what is in the best interests and safety of the child or young person.

INAPPROPRIATE BEHAVIOUR BY A CHILD OR YOUNG PERSON

There may be instances when inappropriate behaviour is presented by a child or young person, either willingly or encouraged by other parties which could present a potential risk to a representative or supporter. All Representatives and Supporters should be made aware of this potential risk.

If such behaviour has been noticed, all Representatives or Supporters should excuse themselves in the situation and report the incident to their manager or to the Director whereafter appropriate action will be taken.

PUBLIC RELATIONS AND MEDIA

1. All public media channels must act under the guidance of our marketing and media coordinator (in the Fundraising & Sustainability department).
2. All public media channels that represent or report on SAEP are bound by our internal ICTS Policies and Procedures.

3. All Supporters need to seek the permission of SAEP via our marketing and media coordinator if they wish to take photos or videos of our beneficiaries, and need to sign our Child Protection Policy and Code of Conduct.
4. Supporters who wish to take photos or videos need to send a written request to our marketing and media coordinator stating the date and time of their intended activity, the purpose of their request, and how they will approach the photo or video shoot, e.g. children doing activities.
5. If granted permission as above, a Consent Letter will need to be distributed to and signed by each child parent or guardian (or YP) explaining the purpose of the request. The letter may have to be translated in a language the parent or guardian can understand.
6. No photograph or video of any of our beneficiaries may be printed or posted for purposes of commercial gain of the Supporter or anyone else.
7. We discourage the use of personal smartphones and iPads or tablets in taking photos or videos unless prior permission has been granted as above.
8. No photograph or video may be taken, where the image is captured from a compromising angle or the child/ YP is depicted in a vulnerable position, where private parts are exposed, or in any other way where the beneficiary's rights, respect and/or dignity is compromised.
9. If the image or video is to be used other than to communicate SAEP's work with our beneficiaries, a formal letter of request must be sent to our Director for approval. In certain cases the Director may consult with the Board of Directors for approval.
10. Representatives or Supporters are advised not to ask any of our beneficiaries to be their "personal friend" on public media platforms such as Facebook, WhatsApp, Instagram, etc.; and vice-versa.

PROGRAMME RESPONSIBILITY

1. All programmes are required to establish ground rules within their area of responsibility to ensure that the best interests, safety and development of our beneficiaries at all times.
2. All programmes are required to have an age-appropriate strategy to address cases and to ensure that this policy is followed.
3. All programmes are required to discuss and review the contents of the SAEP Child Protection Policy and Code of Conduct regularly, and to proactively apply it in the workplace and elsewhere.
4. All programmes must include in their curriculum and activity planning, sessions on child protection and codes of conduct, to educate themselves and our beneficiaries. Topics should be age appropriate and should deal with issues such as sexuality, emotions and feelings, flirting, touching, “crushes”, and respect for one’s body and being.
5. The beneficiaries from our early childhood (0-6 years old), and primary school (7-11 years old) programmes are the youngest and therefore more vulnerable in terms of their ability to independently determine potential risks, or be able to freely express (verbally or otherwise) when they have experienced any form of maltreatment or abuse. These programmes should be more vigilant in monitoring their beneficiaries.
6. All programmes should be aware that in the course of working with our beneficiaries, they may be exposed to risks and challenges, including potential allegations of abuse which could have a potentially damaging effect on their careers and personally. The risks must be assessed for every activity and action taken where possible to minimise these risks.

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CHILD & YOUTH PROTECTION POLICY AND CODE OF CONDUCT REVIEW AND UPDATE

The SAEP Child Protection Policy and Code of Conduct documents are reviewed at least every two years by both the HR department and the Director to ensure the provisions herein are current and in line with the Children’s Act and any other related Acts or promulgations of South Africa.

All Representatives, individually and collectively through our various programmes departments are encouraged to actively scrutinise the documents, share any relevant information and propose amendments to improve the scope, policy and procedures of both documents.

This document was last revised in February 2019 and will be reviewed again by February 2021 (unless any significant changes need to be made sooner) to ensure that it is still being strictly adhered to throughout the organisation.

AGREEMENT AND COMMITMENT TO THE CHILD PROTECTION POLICY AND CODE OF CONDUCT

I, (full name)
hereby agree to abide by this code of conduct while involved with children
and young people through SAEP.

If not SAEP staff – your contact details

Name in print and sign above

Date

Mobile no. and/or Email address

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