



## Rumah Senja Child Protection Policy

### Policy Overview

- Rumah Senja (RS) is committed to the safety and protection of children from all forms of abuse and exploitation. This Child Protection Policy recognizes that children can be extremely vulnerable, and sometimes need to be protected. This Child Protection Policy outlines a risk management approach to prevent child abuse and provides clear and practical guidelines to responding to child abuse and managing complaints
- RS understands it has a fundamental duty of care towards protecting children engaged within its programs and activities. This Policy has been developed to adhere to Indonesia's standards for child protection requirements. This Policy operates in conjunction with law and does not exclude or replace the rights and obligations of any individual under Indonesian law.
- Lessons learnt in the implementation of this Policy will be documented and reflected in future policies. This Policy should be seen as a component of the broader philosophy of RS. Disciplinary processes are in place to maintain the ethics of the organization.

### Purpose

**This Policy aims to clearly outline:**

- Definitions of child abuse and other relevant terms.
- Overarching child protection legislation, conventions and guidelines.
- RS's set of commitments to child protection.
- RS's approach to preventing child abuse and exploitation.
- RS's philosophy and responsibilities governing interaction with children, and
- RS's practical reporting procedures and response mechanisms.

**This Policy has been developed in order to:**

- Protect children engaged in RS's programs from all forms of abuse and exploitation.
- Protect employees and representatives from false or malicious allegations of misconduct.

- Protect RS from being held liable for the failure to take “reasonable steps” to prevent or protect children from abuse.

## Scope

This Policy applies to all RS health workers, staff, volunteers, and guests.

## Definitions of Child Abuse and other Relevant Terms

**A child** means every human being below the age of 18.<sup>1</sup> <sup>1</sup> As outlined by the Convention on the Rights of the Child (United Nations, Article 1).

**Child abuse** is the physical, sexual, emotional mistreatment or neglect of a child resulting 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.

**Physical abuse of a child** is when a person purposefully injures or attempts to injure a child from an interaction or lack of interaction which is reasonably within the control of a person in a position of responsibility, power or trust over the child. This may take the form of slapping, punching, shaking, kicking, burning, shoving, grabbing or choosing not to assist a child when a situation is causing them physical pain. There may be a single incident or repeated incidents.

**Emotional abuse of a child** is any action that is not physical but that has a negative effect on the social, intellectual or emotional development of a child. Emotional abuse is categorized loosely as the chronic behavioral pattern directed at a child whereby a child’s self-esteem and social competence is undermined or eroded over time. It can take the form of name-calling, threatening, belittling, ridiculing, intim dating, isolating, ignoring or other non-physical forms of hostile or rejecting treatment towards the child.

**Neglect of a child** is the failure to provide the child with the basic necessities of life such as food, clothing, shelter, education, supervision emotional development and/or protection from foreseeable harm in the context of resources reasonably available to the family or caretakers of the child and to the extent that the child’s health and/or development are at risk.

**Sexual abuse of a child** is when a person who is in a position of responsibility, trust or power over a child involves the child in sexual activity which is intended to gratify or satisfy the needs of the other person and which the child does not fully comprehend, is unable to give informed consent to, or is not developmentally prepared and cannot give consent. This can include contact acts (such as rape or sexualized touching) or non-contact acts (such as exposure to pornography or taking sexualized photographs of the child).

**Domestic violence** is a pattern of assaultive and/or coercive behaviors conducted within the family environment or domestic (home) environment which can include physical abuse, sexual abuse, emotional abuse and/or economic coercion.

**Child Exploitation** is when a child is used in work or other activities for the benefit of others. This includes, but is not limited to, the commercial sexual exploitation of children whereby a child is sexually abused in return for cash or for kind and child labor whereby a child is forced to work or perform other acts to an extent detrimental to the child’s physical, social or mental development.

## Guiding Principles of this Policy

## This Policy is founded upon the following guiding principles:

1. **Zero tolerance** of child abuse, within the Indonesian cultural context
2. Recognition and promotion of children's **best interests**.
3. Sharing **responsibility** for child protection.
4. Use of a **risk management** approach to prevent child abuse.
5. **Report and respond** to all incidents of child abuse, within the Indonesian cultural context.

## RS's Commitments

RS is committed to ensuring that:

- In all contracts involving RS, all parties agree to abide by the requirements of this Policy;
- Preventative child protection measures are implemented to the highest standard possible within the Indonesian context;
- Some child-safe recruitment and screening processes are employed at times; the proof of police check document and references are required.
- Child protection training is regularly provided to relevant RS representatives;
- A child protection Code of Conduct exists and is understood and signed by all RS representatives;
- Clear and current reporting procedures exist and are known by RS representatives;
- National laws and processes and local resources are taken into account within reporting and response mechanisms;
- A documented child protection management procedure exists and is operational;
- A documented policy compliance response exists which outlines measures for violations;
- No person is permitted to work with children if they pose an unacceptable risk to children's safety or wellbeing;
- All contracts involving RS outline that RS will dismiss personnel who violate the child protection code of conduct; and
- The highest levels of confidentiality and sensitivity are employed pending an official investigation of an incident.

## The Child Protection Code of Conduct

### Acceptable Behaviours

RS representatives shall:

- Treat children with dignity and respect regardless of ethnicity, race, color, gender, age, language, religion, political or other opinion, disability, or other status;
- Conduct themselves in a manner appropriate with their position as a representative of RS in all their dealings with children;
- Immediately raise concerns regarding a child's safety or wellbeing in accordance with LS Reporting Procedures and observe procedural fairness when engaged in decision-making;
- Be visible when working with children and, wherever possible, ensure that another adult is present when working in the proximity of children;
- Listen to children and allow them to be engaged in decisions that may affect them;
- Comply with all relevant Indonesian legislation, including labor laws in relation to child labor;
- Follow organizational philosophy regarding the safety of children.

### Unacceptable Behaviours

RS representatives shall not:

- Use language or demonstrate behavior towards children that is inappropriate, harassing, abusive, demeaning, sexually provocative, or culturally insensitive;
- Engage children in any form of activity that is demeaning, offensive, sexually provocative, abusive or culturally inappropriate or insensitive;
- Engage children in any form of sexual activity or acts, including paying for sexual services or acts;
- Invite unaccompanied children into their home, unless they are at immediate risk of injury or in physical danger;
- Access child pornography through any medium;
- Sleep in close proximity to unsupervised children;
- Hire children for domestic or other labor which is inappropriate given their age or developmental stage, which interferes with their time available for education and recreation activities, or which places them at significant risk of injury;
- Exclude or favor a particular child;
- Use equipment including but not limited to computers, mobile phones, video or digital cameras inappropriately or without the consent of the child and his/her parent or guardian;
- Physically assault, discipline or punish children;
- Touch a child in an inappropriate or culturally insensitive manner. Representatives in direct medical care positions are to follow industry guidelines.

## The Photo Policy for Using Children's Images

Touch a child in an inappropriate or culturally insensitive manner. Representatives in direct medical care positions are to follow industry guidelines.

- Assess and comply with local traditions or restrictions for reproducing personal images;
- Obtain legitimate consent from the child or a parent or guardian of the child. As part of this, an explanation as to how the photograph or film will be used must be given;
- Ensure photographs, films, videos and DVDs present children in a dignified and respectful manner and not in a vulnerable or submissive manner. Children should be adequately clothed and not in poses that could be seen as sexually suggestive;
- Ensure images are honest representations of the context and the facts;
- Ensure file labels do not reveal identifying information about a child when sending images electronically;
- Ensure images of children available for public use do not reveal any identifying information.

## The Reporting & Incident Response

### Reporting Child Abuse

- Any suspicion or disclosure of child abuse must be immediately reported to the Project Leader and to RS's Board.
- All incidents will be reported and managed in accordance with the procedure of this Policy.
- Incidents found to be true should be reported to the police and to the Komisi Perlindungan Anak Indonesia.

## Guidelines to responding to Child Abuse Allegations

1. RS takes all allegations of child abuse, whether by RS representatives or associated personnel seriously;
2. All allegations will be thoroughly investigated;
3. Where an incident has been reported the following procedures will take place:

### For non-critical incident allegations

A non-critical allegation of child abuse is one which does not pose immediate threat to a child supposing the allegation was true. These incidents may well be critical in nature but the time frame for responding is not as immediate.

- a. The incident will be documented and investigated;
- b. The incident will be investigated with full respect for the confidentiality of the accused and the alleged victim and information will be dispersed on a "need to know" basis with the primary concern being the rights and welfare of the persons involved;

- c. The accused person will be given an opportunity to express their views/opinions/version of facts;
- d. The views of the alleged child victim will be considered in light of the documented evidence that children rarely lie about abuse;
- e. Where the incident is reasonably proven to have occurred, appropriate disciplinary measures will be taken, including, but not limited to:
  - Warning
  - Suspension
  - Dismissal

The disciplinary measure will depend on the nature of the offence and will be at the discretion of the Project Leaders and will be fully documented and reported to the LRS Board.

A critical allegation is an allegation whereby there is an immediate threat to the welfare of a child should the allegation is found true.

- a. Where the allegation involves a violation of either the laws of Indonesia, the incident will immediately be reported to appropriate authorities and the person will be suspended from employment pending an investigation;
- b. All efforts will be taken to ensure the confidentiality and rights of the accused person and information related to the incident will only be shared on a “need to know basis”;
- c. If the incident involves a breach of the philosophy of RS (but is not a violation of national laws), the accused person may be suspended pending an investigation;
- d. The rights of the alleged victim and the accused person will be of paramount concern and confidentiality will be maintained insofar as is reasonably necessary pending an investigation;
- e. where a violation of the Code of Conduct is found to have occurred, the person will be immediately dismissed from employment;
- f. where an allegation is found to be false or unfounded, all efforts will be taken to ensure the rights of the accused person is upheld including restoration of any damage to reputation or dignity within the organization;
- g. Where allegations amount to a violation of Indonesian law, confidentiality will no longer be applicable unless deemed necessary to uphold the rights of the victim.

## Relevant Child Protection Legislation & Conventions

Relevant Indonesia legislation includes:

### Indonesian’s Law of CPP

- “Undang-Undang Republik Indonesia Nomor 23 Tahun 2002 Tentang Perlindungan Anak”.
- “Undang-Undang Republik Indonesia Nomor 10 Tahun 2012 Tentang Anak”.

- “Undang-undang Republik Indonesia Nomor 35 Tahun 2014 Tentang Perlindungan Anak.
- Source: [www.kpai.go.id](http://www.kpai.go.id)

## Declaration

By signing this declaration, I confirm and accept that:

- My conduct at RS is governed by the standards defined in this Child Protection Policy;
- My failure to comply with this Policy may result in a suspension or termination of my work;
- I am obliged to ensure that others who I am responsible for also comply with this Policy;
- I have read and understood this Policy.