



International Catholic Migration Commission

CHILD SAFEGUARDING POLICY

Effective: 1 December 2020

Approved by the ICMC Governing Committee on 28-29 October 2020

INTRODUCTION

As a Catholic-inspired organization working with and on behalf of uprooted and migrant populations including refugees, asylum-seekers, internally displaced people, victims of human trafficking and migrants, the International Catholic Migration Commission (ICMC) is committed to holding itself accountable to the people and families it assists and specifically aims at preventing misconduct and safeguarding vulnerable populations, including children.

ICMC staff, defined, but not limited for purposes of this policy to all permanent and temporary employees, consultants, persons related to governance bodies and/or related to ICMC affiliated offices, subsidiaries and branches, interns, volunteers and all individuals working for or representing ICMC, are personally and collectively responsible for upholding and promoting the highest ethical and professional standards possible.

ICMC is committed to safeguarding children against abuse and exploitation. In all actions concerning children, ICMC is guided by the paramount principle of ensuring the welfare of the child and all such actions are governed by the basic premise that ICMC does not tolerate any form of child abuse and exploitation. ICMC acknowledges its duty of care towards the children it assists and aims at integrating child protection into all aspects of its work.

This Policy specifically focuses on Child Safeguarding and Protection. It replaces the former Child Protection Policy and is in line with international standards applicable to Child Safeguarding and ICMC's Code of Conduct (CoC) as well as ICMC's Policy to Prevent and Respond to Sexual Harassment, Exploitation and Abuse (PSHEA). It complements but does not replace all other ICMC policies enacted and enforced by ICMC.

ICMC is committed to promote the best interests and the rights of children and to ensure that their physical, emotional, social and spiritual well-being is respected, safeguarded and protected in accordance with international standards. The safeguarding of children is a fundamental aspect of ICMC's overall accountability towards all human persons and, in particular, affected populations and persons whom it serves and with and for whom it advocates. In this regard, staff must be responsible for all actions undertaken as well as decisions made. ICMC is committed to implementing this policy in a consistent manner and to creating and maintaining an environment which promotes its core values and prevents and safeguards children from abuse and exploitation including sexual exploitation.

The ICMC management will disseminate this Child Safeguarding Policy and will ensure that staff are fully informed and trained and that they understand their responsibilities and commitments in this regard.

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SCOPE

This policy has been developed by integrating global standards and best practices in child safeguarding to promote the safety and well-being of all children participating in and in contact with programs supported and/or implemented by ICMC and its partners in order to eliminate the risk of any kind of abuse of children. It applies to all ICMC staff as defined above as well as to partners of ICMC working with children in the context of projects or activities implemented with ICMC support.

CHILD SAFEGUARDING GUIDING PRINCIPLES

ICMC recognizes the importance of its duty to care for children with whom it works or is in contact and/or who are affected by its work and operations. These guiding principles recognize that all children have equal rights and responsibilities and are to be protected; they thus outline ICMC's practical approaches to meeting child safeguarding standards around the world in line with the International Standards of Keeping Children Safe (KCS), the Minimum Standards for Child Protection in Humanitarian Action and the United Nations Convention on the Rights of the Child (UNCRC).

These guiding principles recognize that all children have equal rights and responsibilities and are to be protected



ZERO TOLERANCE OF CHILD EXPLOITATION AND ABUSE

ICMC does not tolerate any form of child exploitation and abuse including sexual and will implement a zero-tolerance response to such actions. Its response will include criminal, civil and disciplinary sanctions as required and appropriate. ICMC works to prevent and reduce the risks of child exploitation and abuse, including sexual exploitation and abuse associated with the implementation of humanitarian and development assistance, and trains its staff on these obligations. Children who come in contact with ICMC must be protected from any intentional or unintended actions which may put them at risk of injury, discrimination or any other harm. ICMC will not knowingly engage anyone who may pose an unacceptable risk to children nor fund or cooperate with any organization that does not meet its child safeguarding standards. All partners are expected to adhere to and implement identical standards.



ADHERE TO CHILD PROTECTION AND CHILD SAFEGUARDING GUIDING PRINCIPLES

ICMC and its partners will adhere to local, national and international child protection laws in countries where they work and travel as well as to all international laws and conventions in relation to all forms of child abuse and child exploitation.

The following core obligations will be respected by all ICMC staff and partner staff:

1. In all actions dealing with children, ICMC staff and partner staff will keep the best interests of the child at the center of their work and treat all children with respect, dignity and compassion, regardless of their religion, race, ethnicity or nationality. Staff will not speak to children in a manner which is abusive, threatening or disrespectful.
2. ICMC staff and partner staff will establish a culture and model behavior that empowers children, their families and communities to know about and understand their dignity, rights and responsibilities, about what is acceptable and unacceptable and about what they can do when there are problems.
3. Taking photos or recording videos of an individual child or a group of children shall only be permitted when justified by professional purposes, such as program reporting or communications, and after having obtained prior written authorization from relevant ICMC supervisors. Taking photos or recording videos of children for private purposes is forbidden. The identification of children appearing on pictures or videos must always be avoided as well as any possible identification through a specific geographical landmark or image geo-tagging. In any case, when taking a portrait photo or video of a child, ICMC staff and partner staff must first seek permission from a parent or guardian and from the child. They will also ensure that the child is appropriately dressed and portrayed in a dignified and

CHILD SAFEGUARDING GUIDING PRINCIPLES

respectful manner, complying with local traditions and restrictions. If a professional photographer, journalist or translator is employed to take pictures or record videos, ICMC staff will ensure they have been properly vetted, reference-checked and briefed on this policy, which also must be signed by the professional engaged for such purposes, and that the required parent's or guardian's and child's consent has been obtained.

4. When possible and practical, two or more adults shall be present and/or influence all activities where children are involved. Should this be impossible, they will ensure beforehand that a supervisor is aware and gives consent. This rule also applies to visitors.
5. ICMC staff and partner staff will not use their position of authority inappropriately nor use their relationship with children to obtain inappropriate favors.
6. ICMC staff and partner staff will never engage in any acts of child abuse or child exploitation (including child prostitution, child pornography, child trafficking or any other forms of exploitation) either in their professional or private capacity. They will not support or take part in any exploitative child labor practices and will not use computers, mobile phones or other devices to access or to disseminate child pornography or to expose children to any inappropriate images or content.
7. ICMC staff and partner staff must not engage in any form of sexual activity with children, regardless of the consent of the child. They must avoid any form of behavior towards children that may be considered sexually provocative, degrading or inappropriate.

ICMC respects the right of children to participate in a meaningful way in any decision affecting them and to have their views heard and acted upon



RECOGNITION OF THE BEST INTERESTS AND INFORMED AND MEANINGFUL PARTICIPATION OF THE CHILD

ICMC respects the right of children to participate in a meaningful way in any decision affecting them and to have their views heard and acted upon. Whenever children's rights are threatened, ICMC will ensure that the best interests of the child are paramount and always prioritized.



CHILD SAFEGUARDING AS A SHARED RESPONSIBILITY

ICMC recognizes that all persons associated with ICMC have a responsibility to support the safeguarding of children. Therefore, this policy applies to all staff both during and outside their working hours. All staff are requested to promote child safeguarding and to support ICMC's partners to meet minimum requirements on safeguarding.

IMPLEMENTATION

ICMC will ensure that the programs it operates directly and through its partners comply with this policy through regular risk management, assessment, continuous implementation, monitoring and reporting processes. The policy will be implemented in the following ways:

All staff are requested to promote child safeguarding and to support ICMC's partners to meet minimum requirements on safeguarding



BEHAVIORAL PROTOCOLS / CODE OF CONDUCT

All staff, as defined in this policy and in the Code of Conduct, are required to sign and comply with ICMC's Code of Conduct and ICMC's Child Safeguarding Policy, both of which delineate expected behavior of staff. Breaches of the Code of Conduct and the Child Safeguarding Policy, if substantiated, will lead to disciplinary measures including termination of employment and/or legal action if required and appropriate.

For ICMC partners and their staff, breaches of the ICMC Child Safeguarding Policy, if substantiated, may lead to the immediate termination of the partnership agreement and, as appropriate, the pursuit of legal action.



CHILD-SAFE PROGRAMMING AND RISK ASSESSMENT

Even when not specifically child-focused, programs can bear inherent risks to children, including physical and emotional harm from inadequate consideration of children's particular needs and vulnerabilities. All potential risks to children should be considered when analyzing risks to affected populations during design and delivery of new programs and in operations, monitoring and evaluation of interventions and activities involving or impacting upon children. Needs assessments will include a "Do No Harm" analysis, evaluating potential risks faced by children. Relevant standards should be applied, such as local and national standards and those included in Child Protection or Education Minimum Standards and in Sphere Standards. ICMC will continue to mainstream child safeguarding into existing programs including mitigation strategies and will conduct periodic reviews for any emerging child safeguarding risks.



CHILD-SAFE RECRUITMENT OF STAFF

Child-safe recruitment practices are critical to mainstreaming child safeguarding. In accordance with national labor laws and staff regulations, ICMC will take all necessary steps to ensure that staff who are employed by or volunteer for the organization have been appropriately screened for any potential or actual risks they may pose when working with children. Recruitment and selection processes include:

- A clear job or role description that includes a statement on the position's responsibility to meet the requirements of ICMC's Child Safeguarding Policy.
- ICMC will ensure that it applies the highest standards in its recruitment and vetting policies across the organization. During recruitment interviews, short-listed candidates will be questioned about their suitability for work with children and their understanding of child safeguarding.

IMPLEMENTATION

- Contract offers for those directly in contact with children or gaining access to children's information will be dependent on suitable references and criminal record checks (where these are available).
 - At least two professional, and one personal reference must be provided prior to the employment offer. References need to include the last or latest employer and must be signed by properly authorized staff.
 - Criminal records should be provided when and where this is possible for countries in which the candidate worked over the past five-year period.
- Signed declarations by candidates that they have not been involved in any child exploitation or abuse case or faced any other disciplinary action in the past in relation to working with children.



CHILD SAFEGUARDING INDUCTION AND TRAINING

Appropriate and adequate training and refresher courses should be planned and implemented for staff on child safeguarding principles and obligations and should be part of all inductions and specific trainings on protection and behavioral issues. ICMC commits to providing its management, affiliated offices, subsidiaries and branches with information and access to appropriate training material on child safeguarding principles and obligations. All staff must sign the Code of Conduct as well as the Child Safeguarding Policy and staff responsible for human resources in the respective ICMC department, field office or program will keep signed copies of these policies within the personnel files.



INFORMATION-SHARING ABOUT THIS POLICY AS WELL AS SPECIFIC REPORTING PROCEDURES FOR CHILDREN, COMMUNITIES, BENEFICIARIES, PARTNERS AND OTHER STAKEHOLDERS

ICMC will build the capacity of communities and partners in relation to child safeguarding information and practices. Communities need to be informed about the expected and prohibited behavior of staff and understand key concepts of child safeguarding in formats and languages accessible to them. This includes the information that communities and children will be consulted on the most appropriate, accessible, safe and confidential ways to report child safeguarding concerns.



MANAGEMENT RESPONSIBILITIES

It is the responsibility of ICMC management and human resources focal persons to ensure that all staff are aware and adhere to the provisions included in the Child Safeguarding Policy and understand their obligations and the prohibitions included in both the Child Safeguarding Policy as well as the Code of Conduct. ICMC's partners must adopt/adapt their own Code of Conduct and Child Safeguarding Policy to conform to the same principles, standards, regulations and other procedures contained in the ICMC Code of Conduct and this Child Safeguarding Policy and must take the necessary steps to train their staff and adopt procedures to investigate allegations of breaches of the Code of Conduct, the Child Safeguarding Policy or any other relevant policy.

ICMC commits to providing its management, affiliated offices, subsidiaries and branches with information and access to appropriate training material on child safeguarding principles and obligations

REPORTING AND RESPONDING TO CONCERNS

All reports will be treated seriously and with confidentiality. The priority will always be the safety and best interests of the child

Existing reporting procedures need to integrate a child-friendly approach. It is important to include specific provisions to facilitate reporting of concerns by children. At the minimum, a Child Safeguarding Focal Point should be designated for each ICMC office.

All staff who have reasonable grounds to believe that child abuse and/or exploitation has been or is being committed by ICMC staff or implementing partner staff are obliged to report through designated and confidential channels on any and all concerns they have in relation to the safety, well-being and best interests of a specific child or group of children with whom they are in contact. In this regard, ICMC's Whistle-blowing Policy should be used to register such concerns, since child abuse/exploitation is characterized by ICMC as a 'serious complaint'. All reports will be handled professionally, confidentially and expediently.

Allegations of child exploitation or abuse by a staff member will be immediately reviewed and appropriate action will be taken to ensure the protection of the child as well as to prevent further interaction between the staff member and any child during the course of the investigation. This action may include suspension of the staff member (with consideration during the investigation period of placing the staff member on leave with pay, if appropriate). Credible allegations will be reported to the national or local authorities as per relevant applicable legislation and policies.

Whenever possible, ICMC offices should design child-friendly versions of documents explaining to children how to report any concerns. All reports will be treated seriously and with confidentiality. The priority will always be the safety and best interests of the child.

Identifying information about children will be shared on a 'need to know' basis only. Any staff who raise concerns of serious malpractice will be protected from retaliation or any other detrimental treatment, provided that concerns are raised in good faith. Upon investigation, any deliberate false allegation will be considered as a serious offense and disciplinary action will be taken.

MONITORING AND REVIEWING

This policy has been approved by ICMC's Governing Committee. The policy will be reviewed at a minimum every three years or when it appears necessary due to changes in the organization or in the context where ICMC works. Risks, risk mitigation and the effectiveness of the child safeguarding measures will be monitored and revised regularly by ICMC.

COMPLIANCE WITH ICMC CHILD SAFEGUARDING POLICY

By signing this document, I confirm that I have read, understood and accept ICMC's Child Safeguarding Policy.

I am aware that this policy applies both on and off duty.

THE SIGNATORY ACCEPTS THAT ANY BREACH OF THIS POLICY WILL RESULT IN DISCIPLINARY ACTION.

Place and date _____

Signature staff member _____

Name of staff member _____

Signature supervisor
or responsible Human
Resources person* _____

*Not applicable to members
of Governance bodies

Name of supervisor _____

ICMC Department/Office
or other organization (if
working for a partner
organization, a contractor
or any other third party): _____

ANNEX: DEFINITIONS

Abuse of a position of trust: the abuse or misuse of a position of influence or trust or failure to use proper discretion for personal benefit or to benefit another person. Abusing a position of trust includes all forms of exploitation and abuse including sexual.

Child or minor: a person under the age of 18 (regardless of the legal age of majority or the legal age of consent under respective national or local legislation).

Child abuse: includes all forms of physical and emotional ill-treatment, sexual abuse, neglect or negligent treatment and commercial or other exploitation 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.

Child pornography: any representation, by whatever means, of a child engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a child for primarily sexual purposes.

Child protection: the actions that individuals, organizations, countries and communities take to protect children from acts of harm, maltreatment (abuse) and exploitation, e.g., domestic violence, exploitative child labor, commercial and sexual or other forms of exploitation and abuse, trafficking or other modern forms of slavery, persecution, deliberate exposure to HIV or other infections and/or life-threatening illnesses, physical violence, etc. It also describes the work that an organization undertakes in particular communities, environments or programs that protect children from harm due to the situation in which they are living.

Child safeguarding: the responsibility of organizations to ensure that their staff, operations and programs do not harm children, that they do not expose children to the risk of harm and abuse and that any concerns the organization may have about children's safety within the communities in which they work are reported to the appropriate authorities. It demands the development and implementation of a set of internal procedures, policies, and practices employed to ensure that the organization itself is a child-safe organization.

Child-safe environment: an environment where active steps are taken to reduce risks of harm against children and where there are clear, established guidelines and procedures for conduct, reporting abuse and follow-up.

Commercial and other exploitation of a child: the use of a child in work or other activities for the benefit of others. This includes but is not limited to child labor. These activities are to the detriment of the child's physical or mental health, education, moral or social-emotional development (WHO, 1999). Children being recruited into the military would also come into this category.

Data protection: rules for the protection of personal data of staff, beneficiaries, community members including children and other stakeholders in all of ICMC's activities worldwide.

'Do No Harm' principle: an organization's responsibility to avoid causing harm, intentionally or inadvertently, as a result of inappropriate programming.

Emotional abuse: persistent emotional maltreatment that impacts on a child's emotional development. Emotionally abusive acts include restricting movement, degrading, humiliating, bullying (including cyber bullying) and threatening, scaring, discriminating, ridiculing or other non-physical forms of hostile or rejecting treatments.

Exploitation: inappropriate use of one's position of authority, influence or control over people and resources to pressure, force or manipulate someone by means of threat or coercion such as withholding aid or unduly threatening people with negative repercussions.

ANNEX: DEFINITIONS

Grooming (including online): behavior that makes it easier for an offender to procure a child for sexual activity. It is about manipulating the child as well as its environment and abusing his or her trust.

Partners (For the purpose of this policy): any organization with a formal or contractual relationship with ICMC and/or which benefits from funding or other programmatic support from ICMC including ICMC member organizations.

Physical abuse of a child: occurs when a person purposefully injures or threatens to injure a child or minor. This may take any form of physical mistreatment including but not limited to slapping, punching, shaking, kicking, burning, shoving or grabbing. The injury may take any form including but not limited to bruises, cuts, burns or fractures.

Sexual abuse: the actual or threatened physical intrusion of a sexual nature including inappropriate touching by force or under unequal or coercive conditions (United Nations Secretary General's Bulletin 2003/13).

Sexual exploitation: any actual or attempted abuse of a position of vulnerability, differential power or trust, for sexual purposes including but not limited to profiting monetarily, sexually or politically from the sexual exploitation of another. This includes any exchange of money, goods or services in return for sexual activities and favors (United Nations Secretary General's Bulletin 2003/13).

Social media: interactive computer-mediated technologies that facilitate the creation and sharing of information, ideas, career interests and other forms of expression via virtual communities and networks. Examples of social media and networking sites include: Facebook, Twitter, Web Blogs, Instagram, Flickr, LinkedIn, etc. This list is not exhaustive.

Staff (For the purpose of this policy): all permanent and temporary employees, consultants, persons related to governance bodies and/or related to ICMC affiliated offices, subsidiaries and branches, interns, volunteers and all individuals working for or representing ICMC.