

Hellabeem Child or Young Adult with disabilities Protection Policy

1 Statement of commitment of Child Protection

The work of Hellabeem with the beneficiaries is carried out with strict observation of its Child or Young Adult with disabilities Protection Policy. The purpose of this policy is to ensure that Hellabeem has procedures in place to prevent and deal with any occurrence of child or young adult with disabilities abuse of any of its beneficiaries. Hellabeem agrees that working in accordance with this policy requires staff to be trained and supported. Hellabeem will ensure any disclosures about alleged abuse are acknowledged and appropriate action taken to ensure the safety of children or young adult with disabilities who make disclosures. Hellabeem is committed to complying with all relevant legislation.

2. Aim

The safety of the child or young adult with disabilities is our prime consideration at all time

3. Who does the policy apply to?

The policy applies to all beneficiaries of Hellabeem, its management, staff, volunteers and visitors to the Centre. All staff will be expected to have read the policy and given a written agreement of compliance. All visitors will be made aware of the policy and be expected to comply to Hellabeem code of conduct forbidding unsupervised contact with children.

4. Definitions

A child is defined by the Conventions on the Rights of the Child (CRC) as “Every human being below the age of 18 years unless under the law applicable under the child majority is attained earlier”. An adult receiving a service from Hellabeem as a result of their disability could be regarded as a ‘vulnerable adult’ and is thereby also covered by this policy.

‘Staff’ is defined as those who are employed directly by or volunteer long term for Hellabeem, as well as staff and volunteers of partner organisations whilst they are working with children and young people in the care or supervision of Hellabeem. Parents and short-term volunteers are for this Child or Young Adult with disabilities Protection Policy regarded as visitors.

Hellabeem’s policy applies to all children with whom Hellabeem has contact regardless of gender, religion or ethnicity.

Child Abuse is defined by the Convention on the Rights of the Child (CRC) as the harming (whether physically, emotionally, sexually), ill-treatment, abuse, neglect, deprivation of any child or young person. This definition also mirrors the definitions used by the National Child Protection Authority in Sri Lanka.

In the majority of cases, the abuser is someone the child or young person knows well, such as a parent, friend or relative.

There are some groups of children and young people who are particularly vulnerable, including: children with disabilities; children from ethnic minority communities which suffer from discrimination; children who are refugees or asylum

seeking; children living in residential care; children living in families in which there is alcohol or drug abuse, domestic violence or mental health problems.

The definitions set out below provide some indicators of abuse and these should not be seen as an exhaustive list or as a check list. Mostly when abuse takes place, more than one form of abuse is happening.

Physical abuse is a non-accidental act on a child or young adult with disabilities that results in physical harm. This includes, but is not limited to, hitting or threatening to hit with the hand or an object, kicking, slapping, shaking, burning, drowning, pinching, choking, throwing, shoving, whipping, suffocating, biting, poisoning or otherwise causing physical harm of a child.

Emotional abuse is harm done by persistent or severe emotional ill treatment or rejection, including degrading punishments; threats; not giving care and affection and positive attention; bullying; calling names; screaming at; insulting a child or young adult with disabilities. This results in adverse effects on the behaviour and emotional development of a child or young person. It can include a pattern of rejecting, degrading, ignoring, isolating, corrupting, exploiting, insulting or terrorising a child. It may also include age or developmentally inappropriate expectations being imposed on children or Young Adult with disabilities. Also, it may include the seeing or hearing the ill treatment of others, e.g. domestic violence.

Sexual abuse occurs if a child or young person or Young Adult with disabilities is pressurised or forced or tricked to take part in any kind of sexual activity, whether or not the child or young adult with disabilities is aware of or consents to what is happening. Sexual abuse includes incest, rape, fondling, kissing, touching, masturbation, penetration from mouth, vagina or anus by a penis, finger or other object and oral sex. It may also include non-contact activities such as looking at or production of pornography, sexual images, sexual activities and sexual behaviours.

Staff should be aware of their 'duty of care' which precludes developing a sexual relationship with or grooming of a child or Young Adult with disabilities. A sexual relationship between an adult and a child or Young Adult with disabilities will always be wrong, unequal and unacceptable. This is also the case with vulnerable adults.

Neglect occurs when basic physical needs, such as food, warmth, love and affection and medical care, are not met or when there is failure to prevent a child or Young Adult with disabilities from exposure to any kind of danger. This may cause long term serious impairment of a child's or young person's or development.

Bullying occurs when a child or adult or a group of children or adults threaten, humiliate or harm another child or Young Adult with disabilities or adult or group of children or adults purposely. It's a deliberate, conscious act with an intention to cause harm to another and put him or her to pressure or worry. It can be inflicted physically, verbally, by gesture, extortion and exclusion.

5. Roles and responsibilities of staff

Hellabeem ensures that all staff working with children, both paid and voluntary, have been appropriately safety checked.

Candidates will be asked to describe their previous experience of working with children or young adult with disabilities or young people and to provide a referee who can comment on their work with children or young adult with disabilities or young people.

Non-local long-term volunteers will be asked to provide a police clearance or reference. They are also asked to describe their previous experience of working with children or young adult with disabilities or young people and to provide a referee who can comment on their work with children or young adult with disabilities or young people.

Visitors will be made aware of the child or young adult with disabilities Protection Policy, and are only allowed to have supervised contact with children or young adult with disabilities. Non-local short-term volunteers will in this case be seen as visitors.

New staff has an induction session regarding policy practices including Child or Young Adult with disabilities Protection Policy .

Designated Person for Child or Young adult with disabilities Protection

The person who hold the responsibility for child or Young adult with disabilities protection, and therefore this policy, within Hellabeem is the Designated Person for Child or Young adult with disabilities Protection (DPCYADP)

Hellabeem Designated Person for Child or Young adult with disabilities Protection:

G.A.T.R. Ganearachchi

Tel: 075-9560460

Expert in Disability Rehabilitation

6. Procedures

How to act on suspected child abuse

1. ***When abuse is suspected, witnessed, reported or an allegation made against another person, the first consideration will be to ensure the safety of the child.***
2. When abuse is suspected, Staff will consult with the DPCYADP, and will not act alone about suspicions. The DPCYADP will be committed to taking action as outlined in these procedures. Staff will not act in a way that is outside their knowledge or capacity.
3. The DPCYADP will consult with the National Child Protection Authority in Sri Lanka by the hotline Child Help Line '1929'. This to clarify whether a notification of concern should take place.
4. When child abuse is suspected the DPCYADP will inform the Police Child and Women Bureau Desk Weligama, and makes a report of concern. The DPCYADP will decide the steps to be taken.

At any time, any member of staff who has concerns regarding the safety and protection of a child or young adult with disabilities may ring National Child Protection Authority in Sri Lanka or go to the police.

In case of a suspected abuse of a child or young adult with disabilities with another child or Young adult with disabilities being the abuser, the Hellabeem Exclusion policy will be followed.

Listen, record and consult

Staff need to listen to and accept what the child or Young adult with disabilities or young victim or witness says. It is important to create a supportive, non-threatening environment in which the child or Young adult with disabilities feels safe to speak freely. Staff should not question extensively a child or Young adult with disabilities who has disclosed abuse, or who is displaying signs of possible abuse. However, it is important that a child or Young adult with disabilities is listened to and responded to appropriately and understands that the alleged abuse will be taken seriously. Staff will not make promises or commitments they cannot keep. The child or Young adult with disabilities or young victim/witness will be reassured that it is not their fault and that they have done the right thing by telling the staff member. Staff will tell the child or Young adult with disabilities that they will let them know what they are going to do next and that they will let them know what happens. The staff will make sure that they are not showing their own panic or shock to the child or Young adult with disabilities.

Staff is not allowed to investigate and inform, question or confront the alleged abuser.

Any physical or behavioural observations and anything said by the child or Young adult with disabilities will be recorded, using the child's or Young adult with disabilities own words as far as possible. This will be done carefully and while it is still fresh in the mind. Date, time, who was present etc. will be included.

Staff will consult immediately with the DPCYADP who will take the appropriate course of action, including whether a report of concern is to be made.

Inform family and staff

Consultation will take place among the DPCYADP and the officer of the Police Child and Women Bureau Desk Weligama and Soacial service officer Weligama to decide who will inform the parents of the child or Young adult with disabilities and provide support for the family, to be done in a timely fashion. Although the parent or caregiver of the child or Young adult with disabilities will usually be informed of concerns, there may be times when those with parental responsibility may not be initially informed. This may happen when:

- The parent or caregiver is the alleged perpetrator
 - It is possible that the child or Young adult with disabilities may be intimidated into silence
 - There is a strong likelihood that the evidence will be destroyed
 - The child or Young adult with disabilities does not want their parent or caregiver involved and they are of an age when they are competent to make that decision.
- This is to be decided by the DPCYADP.

In all cases of suspected abuse, the information and concerns will be made available only to those staff who have a need to know. This will be determined by the DPCYADP.

In case of no notification to statutory authorities

If it is decided that concerns do not require a notification to statutory authorities, the child or Young adult with disabilities will continue to be monitored, and records kept. All suspicions and information will be factually recorded as soon as possible and held confidentially. Anything that is an opinion or a personal concern will be identified as such and not as being fact.

Confidentiality and information sharing

Hellabeem recognises that all staff must act within legal requirements of the Acts mentioned in “12. Related Acts”.

Information is just shared when it is needed to guarantee the security of children and enable other people to carry out their legitimate functions. In general staff will not share information if they believe that by doing so this will endanger the child or Young adult with disabilities.

Hellabeem encourages the sharing of information when appropriate steps have been taken

Staff may be asked to provide information to the National Child Protection Authority, the Police, Court, Lawyers and Psychologists. When any of the above contacts a staff member for information, that staff member must first refer to their manager, supervisor or the Designated Person for Child or Young adult with disabilities Protection for clearance before providing the information. Information will only be given after the staff member has identified the person making the request, the actual purpose of the request, what use the information will be put to, and who will see the information. A child’s or Young adult with disabilities records will be kept as factual as possible, and nothing will be recorded as fact without evidence to back it up.

In following this policy and local procedures, it is essential that all parties maintain confidentiality. Sharing of information which could identify a child or an alleged perpetrator should be purely on a “need to know” basis. Unless abuse has actually been proven to have occurred, then one must always refer to “alleged abuse”.

Relationships with external agencies

Hellabeem will maintain a good working relationship with the National Child Protection Authority and with the Police Child and Women Bureau Desk Weligama, and be familiar with the laws that serve to protect children from abuse. Hellabeem will consult with the National Child Protection Authority, the Police Child and Women Bureau Desk Hellabeem, and with other appropriate agencies that have specialist knowledge to help Hellabeem protect children from abuse.

Hellabeem will ensure that it has contacts with the National Child Protection Authority and police offices. The DPCYADP will maintain this information.

Hellabeem recognises that any person may report a case of suspected abuse to the statutory agencies.

A list of specialist agencies will be kept and updated by the DPCYADP. A copy of this will always be available in the office, and will be handed out to new staff members.

The DPCYADP will meet regularly with the officer of the Police Child and Women Bureau Desk Galle to ensure that a trusted relationship is maintained in order that Hellabeem can seek help easily and appropriately.

7. Managing allegations against staff or volunteers

Hellabeem will respond to suspicions and allegations of child abuse by a member of staff in a manner which best ensures children's or young persons' immediate and long-term safety and will treat suspicions or allegations against a staff member with the same seriousness as suspicions or allegations made against any other person.

Hellabeem will not act alone, and will refer all suspected situations of child abuse to the Police Child and Women Bureau Desk Galle. The safety of the child will be the primary consideration, and no person in this organisation will collude to protect an adult or an organisation.

Allegations will be treated in such a way that the rights of adults and the stress upon the staff members are also taken into consideration.

When abuse is suspected, staff will follow the process for Responding to Suspected Child Abuse included in this policy.

The DPCYADP must immediately ensure that the suspected individual does not have any contact with the suspected abused child. A risk assessment must be undertaken to determine what level of access, if any, that person should have, to other children. If the police decides to undertake criminal investigation then the member of staff may be suspected, without prejudice, as a precautionary measure, and therefore excluded at least during the investigation. It is important that no internal investigation is undertaken, and no evidence gathered that might prejudice the criminal investigation.

The suspected staff member or volunteer will be informed fully of their rights.

If Hellabeem is aware that a member of staff it has placed on precautionary suspension also works with children for another organisation, either as an employee or a volunteer, it should ensure that the DPCYADP or equivalent from the other organisation is informed of the suspension and the subsequent outcome.

8. Training of staff

Induction training

Hellabeem recognises that induction training for new employees is critical to the safety of children and all staff whether paid or unpaid will attend induction training on child abuse. They will also be required to attend training to understand and carry out the Child Protection Policy, and their further training needs will be identified. All staff will read the Child or Young Adult with disabilities Protection Policy, a copy will be available in the office and in their personal files. Reference to the Child or Young adult with disabilities Protection Policy will be made on a regular basis in staff meetings and training sessions, so that staff remain familiar with and up-to-date with the policy statements and procedures.

On-going or refresher training

The ability of staff to protect children in their care is critical. All staff will be expected to undertake training in child protection at a level appropriate to their position. Hellabeem will ensure that such knowledge is kept up-to-date and relevant. All staff will be expected to complete basic training covering how to recognise and respond to children affected by child abuse and family violence. Time will be made available on full pay to attend these programmes, and costs will be met by Hellabeem. Staff will

undertake refresher training every three years. The DPCYADP will receive regular in-depth training.

Training budgets and resources

Hellabeem believes that trained staff are essential and will provide time, resources and funding to support this process. The training opportunity is also available to volunteers, and will be undertaken in agreement with the manager. Opportunities for inter-agency training will be made available. The DPCYADP will be responsible for overseeing this policy. The DPCYADP will inform the management about possible training opportunities.

9. Safe working practices

Hellabeem believes that as far as possible, staff working with children or Young adult with disabilities and families should keep their personal and professional lives separate, and does not encourage close personal relationships or care-taking activities outside the work environment.

Staff are to inform their manager of any existing relationships with beneficiaries or their families which could constitute a conflict of interest, or place the staff member in a position of compromise. Staff are to inform their manager of any potential situations of possible compromise or conflict of interest that arise as part of their work.

10. Review

The Child or Young adult with disabilities Protection Policy and related documents will be reviewed every two years by Hellabeem and all the staff will sign the reviewed policies and keep hard copies in their personal files. At any time a staff member can talk with the DPCYADP and the Programme Manager about issues arising from the policies.

11. Related Hellabeem documents

The Child or Young adult with disabilities Protection Policy is to be used in conjunction with the following existing documents:

- Vision and Mission statements
- Code of Conduct
- Behaviour Policy
- Exclusion Policy
- Human Resource Policy

12. Related Acts

This Child or Young adult with disabilities Protection Policy adheres to the following Acts:

- Employment of Women, Young Persons and Children Act, No. 8 of 2003
www.srilankalaw.lk
- Tsunami Special Arrangements Act, No. 30 of 2005
www.commonlii.org
- Prevention of Child Molestation Act, No. 34 of 2005
www.refworld.org

13. List of contacts

Designated Person for Child or Young adult with disabilities Protection:

G.A.T.R. Ganearachchi

Tel: 075-9560460

Expert in Disability Rehabilitation

National Child Protection Authority of Sri Lanka

Child Line Sri Lanka – Dial '1929'

National Child Protection Authority,

330, Thalawathugoda Road, Madiwela, Sri Jayawardenapura, Sri Lanka.

P: +94 112 778 911, +94 112 778 912, +94 112 778 913

F: +94 112 778 915

Website: www.childprotection.gov.lk

Police Child and Women Bureau Desk Galle

091-11222222

Police Child and Women Bureau Desk Weligama

W.P.S. Kumari

041-2250222

Police Station Weligama

www.police.lk

041-2250222

Childs Right Promotion Officer

Mr./Mrs. W.V.S.P. Senarath

0714199013

Weligama Divisional Secretariat

041-2250222