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RNGOF on HIV/AIDS & HP: SAFEGUARDING AND CHILDPROTECTION POLICY

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PREAMBLE

Safeguarding is the responsibility that an organization has to ensure that their employees and volunteers, partners, vendors, operations and programmes do no harm to children, young people or vulnerable adults¹ (together referred to as ‘vulnerable people’ under this policy); that they do not expose them to the risk of discrimination, neglect, harm and abuse; and that any concerns the organization has about the safety of vulnerable people within the communities in which they work, are dealt with and reported to the appropriate authorities. It is also the responsibility that the organization has for protecting its employees and volunteers when they are vulnerable, for example, when ill or at risk of harm or abuse.

Child protection is a central part of but not separate to safeguarding. It is the process of protecting individual children identified as either suffering or at risk of significant harm as a result of abuse or programme of work. It also includes measures and structures designed to prevent and respond to abuse.

Over recent years, there has been increasing recognition of the way in which children, young people and vulnerable adults can be at risk of discrimination, neglect, abuse and exploitation by those who are in positions of trust and power over them, including through international development activities.

As a consequence, there has been a significant increase in the efforts made by development organizations to ensure that no harm results from the contact their employees, volunteers and other representatives have with their target populations or communities.

Through their work, **RNGOF ON HIV/AIDS & HP** employees, employees of partner organizations, employees of member organizations and volunteers may engage with young people and vulnerable adults either directly or indirectly.

RNGOF ON HIV/AIDS & HP recognizes it has an obligation to put in place all reasonable safeguarding measures to ensure, as far as possible, the safety and protection of children, young people and vulnerable adults, including those with whom we work and those in the communities where **RNGOF ON HIV/AIDS & HP** member organizations’ work is undertaken.

1. BACKGROUND OF RNGOF on HIV/AIDS & Health Promotion.

Rwanda NGO Forum on HIV/AIDS and Health Promotion (RNGOF on HIV /AIDS & HP) is an umbrella/network of local, national NGOs committed directly or indirectly to fighting against HIV/AIDS in Rwanda. It was created in 1999 and gathers more than 100 national NGOs members whose activities in fighting against HIV/AIDS and the promotion of health in Rwanda are coordinated, monitored and evaluated. The Forum is a network of National NGOs decentralized up to district level. It is also a member of the Rwanda Civil Society Platform (RCSP) at National level, the Eastern Africa National Network on AIDS Service Organization (EANNASO) at the regional Level, African Council on AIDS Service organization (AFRICASO) and International Council on AIDS Service Organization (ICASO) at international level. In its day-to-day activities, RNGOF on HIV/AIDS & HP deals with coordination, capacity building, advocacy, funds mobilization and Monitoring and Evaluation of activities of its members in collaboration with key partners in particular , Rwanda Bio Medical Center (RBC).

1.1. RNGOF on HIV/AIDS&HP Structure

The RNGOF on HIV/AIDS&HP is a network of NGO (Local, National and International NGOs) decentralized up to district level, which are interested in and committed directly or indirectly to fighting against HIV/AIDS in Rwanda.

Its organizational structure is composed of a General Assembly chaired by the Chairperson of the RNGOF Board of Directors of the Board of Directors. The second body is the Board of Directors, elected by the General Assembly from member NGOs. The third body is the Conflict resolution organ composed of 3 persons elected by the General Assembly based on their integrity.

The daily management of the RNGOF on HIV/AIDS&HP is vested in an Executive Secretariat headed by a Coordinator recruited transparently by the Board of Directors by virtue of competence. The Executive Secretariat is composed of 2 Departments, one in charge of Programs and the other for Administration and Finance. Finally a Coordination committee composed of three members at the level of each District is elected by member NGOs operating at the District level.

The General Assembly is the highest governing body, whose decisions and instructions always outweigh those of other organs of the organization. It comprises all effective members.

Under the General Assembly body, the second principal governing body is the Board of Directors which exercises ongoing governance functions such as setting the organization's policies and strategies or safeguarding and promoting the organization's mission. The conflict resolution organ promotes mediation and strives to find solutions to complaints from member NGOs of the Forum.

The Executive Secretariat on the other hand coordinates or manages day to day operations of the umbrella Secretariat including the coordination of the different activities undertaken at the District level.

The District Coordination Committee assures the effective representation of the RNGOF on AIDS&HP at the District level. The following organizational chart shows the flow of authority from the general Assembly through the Executive Secretary to the staff.

2. RNGOF ON HIV/AIDS & HP VISION

Together for a healthy society

Eradication of all barriers that could compromise the behavior change of Rwandan population by way of which men, women and children are protected from HIV/AIDS and PLWHA are able to partake in the same rights as all citizens.

3. RNGOF ON HIV/AIDS & HP MISSION:

To promote, coordinate, monitor and evaluate activities of NGOs engaged in the fight against HIV/AIDS in Rwanda, Networking and advocacy for civil society involvement in all HIV/AIDS program and policy development in order to improve the living conditions of the affected communities.

4. RNGOF ON HIV/AIDS & HP CORE VALUES:

- Solidarity and collective actions in HIV response and health promotion programs implementation;
- Active participation and involvement of members, government institutions, DPs and other stakeholders;
- Ensuring and maintaining credibility, reliability, integrity, accountability and transparency in all operations;
- Ensure gender mainstreaming and human rights in all activities;
- Greater Involvement of people living with HIV& AIDS (GIPA);
- Use of rights, evidences and results based approaches in all HIV/AIDS and health promotion programs.

5. PURPOSE OF THE POLICY

The purpose of this policy and associated procedures is to provide clarity to **ALL** on how they should engage with children, young people and vulnerable adults when working for, on behalf of, or in partnership with **RNGOF ON HIV/AIDS & HP**. It is also to help us make sure that employees, volunteers and other representatives are protected.

It is intended to help us to have a common understanding of safeguarding issues, develop good practice across the diverse and complex areas in which we operate and thereby increase accountability in this crucial aspect of our work.

This policy constitutes **RNGOF ON HIV/AIDS & HP's** overall policy. Whilst it is recognized that local legislation may vary from country to country, this policy identifies our minimum standards and may exceed the requirements of local legislation.

Any breach of this policy will be treated as a disciplinary matter, which may result in immediate termination of employment or contract, partnership, withdrawal of volunteer status, and reporting to the Rwanda National Police, relevant regulatory authority or other body.

6. POLICY OBJECTIVES

The following key objectives will be followed and implemented by RNGOF together with its staff, employees, member organizations, volunteers, interns and visitors as well as other stakeholders:

- 6.1. To raise awareness of individual responsibilities in identifying and reporting possible cases of abuse;
- 6.2. To provide systematic means of monitoring, recording and reporting of concerns and cases;
- 6.3. To provide guidance on recognizing and reporting suspected child abuse;
- 6.4. To equip children with the skills needed to keep them safe;
- 6.5. To support pupils who have been abused in accordance with the agreed child protection plan;
- 6.6. To establish a safe environment in which children can learn and develop;
- 6.7. To emphasize the need for good levels of communication between all members of staff;
- 6.8. To develop and promote effective working relationships with other agencies, especially the Police and Social Services.

7. Definitions

Abuse - a violation of an individual's human and civil rights by any other person or persons. It can take the form of physical, psychological, financial or sexual abuse, neglect or negligent treatment or commercial or other exploitation, resulting in actual or potential harm to the health, survival, development or dignity of a child, young person or vulnerable adult.

Abuse can be a single act or repeated acts and can be unintentional or deliberate. Abuse often involves criminal acts.

Discriminatory abuse – abuse motivated by a vulnerable person's age, race, nationality, sex, sexual orientation, disability, or other personal characteristic.

Financial or material abuse - including theft, fraud, exploitation, pressure in connection with wills, property or inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.

Neglect - the persistent failure to meet a vulnerable person's basic physical and/or psychological needs, likely to result in the serious impairment of his/her health or development. Examples include failure to provide adequate food, clothing and shelter, failure to protect them from physical or psychological harm or danger; failure to ensure adequate supervision (including the use of inadequate care-givers); or failure to ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a vulnerable person's basic emotional needs.

Physical abuse – includes hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm, misuse of medication, restraint, or inappropriate sanctions.

Psychological abuse - includes emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or supportive networks. Examples include not giving a vulnerable person opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on a vulnerable person, which may include interactions that are beyond a vulnerable person's developmental capability. It may involve serious bullying (including cyber bullying), or the exploitation or corruption of a vulnerable person.

Sexual abuse - involves forcing, enticing or coercing someone to take part in sexual activities, whether or not the vulnerable person is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving a vulnerable person in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet). Sexual abuse can be carried out by adults or other children.

Child – **RNGOF ON HIV/AIDS & HP** regards a child as anyone under the age of 18 years, irrespective of the age of majority in the country in which the child lives or in their home country. It is widely recognised that children are generally more vulnerable to abuse and exploitation due to factors such as age, gender, social and economic status, developmental stage, and dependence on others.

Vulnerable person/people – for the purposes of this policy this is an umbrella term which covers children, young people and vulnerable adults.

Vulnerable adult - a person, 18 years and above, who by reason of disability, age, gender, social and economic status, or illness, the context they are in, may be unable to take care of or to protect him or herself against abuse, harm or exploitation.

Youth or young people - individuals aged 15 to 25 (15 to 35 in some countries) – **RNGOF ON HIV/AIDS & HP** recognizes that this group spans the categories of ‘children and ‘adults’ but regards young people as having particular safeguarding needs and requiring distinct consideration aside from younger children and older adults.

8. SCOPE OF POLICY.

This policy is mandatory for all RNGOF ON HIV/AIDS & HP employees. For the purposes of this policy, ‘employee’ is defined as anyone who works for or on behalf of RNGOF ON HIV/AIDS & HP, either in a paid or unpaid capacity. This therefore includes directly employed staff, consultants, volunteers, interns and all visitors to RNGOF ON HIV/AIDS & HP work offices. It also covers implementing partners whom we supervise, monitor and evaluate and who we expect to work under the policy as a condition of their involvement with RNGOF ON HIV/AIDS & HP.

This policy demonstrates how RNGOF ON HIV/AIDS & HP will meet its legal obligations and reassure volunteers, employees, partners and members of the public:

- a) On what they can expect RNGOF ON HIV/AIDS & HP to do to protect and safeguard vulnerable people.
- b) That they are able to safely voice any concerns through an established procedure.
- c) That all reports of abuse or potential abuse are dealt with in a serious and effective manner.
- d) That there is an efficient recording and monitoring system in place.
- e) That employees, volunteers and partners receive appropriate induction on safeguarding.
- f) That a robust ‘safe’ recruitment procedure is in place.

9. Policy Statement

RNGOF ON HIV/AIDS & HP has zero tolerance against abuse and exploitation of vulnerable people. **RNGOF ON HIV/AIDS & HP** also recognizes that safeguarding is everyone’s responsibility and that it has an obligation to put in place reasonable measures to ensure, as far as possible, the safety and wellbeing of vulnerable people with whom we work and those in the communities in which we live.

RNGOF ON HIV/AIDS & HP works to the following key principles to protect vulnerable people:

- Everyone has an equal right to protection from abuse and exploitation regardless of age, race, sex, sexual orientation, marriage and civil partnership, pregnancy or having a child, gender reassignment, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.
- The best interests of the vulnerable person are paramount and shall be the primary consideration in our decision making.
- **RNGOF ON HIV/AIDS & HP** will take responsibility to meet our obligations regarding our duty of care towards vulnerable people, and take action where we believe that a child, young person or vulnerable adult is at risk or is actually harmed.
- **RNGOF ON HIV/AIDS & HP** will ensure that employees and volunteers are inducted in our Safeguarding Standards
- **RNGOF ON HIV/AIDS & HP** will ensure that all partners and member organizations are informed and in compliance with our Safeguarding Standards.
- When working with or through partners and member organizations, **RNGOF ON HIV/AIDS & HP** will ensure that their safeguarding procedures are consistent and in line with the principles and approaches set out in this policy.
- **RNGOF ON HIV/AIDS & HP** recognizes that an element of risk exists, and while we may never be able to totally remove this, we need to do all we can to reduce it or limit its impact.
- **RNGOF ON HIV/AIDS & HP** respects confidentiality and has a responsibility to protect sensitive personal data. Information should only be shared and handled on a *need to know basis*, that is, access to the information must be necessary for the conduct of one's official duties. Only individuals who have legitimate reasons to access the information are allowed to receive it.
- **RNGOF ON HIV/AIDS & HP** commits to monitoring the implementation of the safeguarding policy. This policy will be reviewed every three years and earlier if necessary.

10. Responsibilities

10.1. All

All employees, volunteers, consultants, interns, member and partner organizations, and visitors are obliged to follow this policy and maintain an environment that prevents exploitation and abuse and which encourages reporting of breaches of this policy using the appropriate procedures.

10.1.1. All people working with RNGOF ON HIV/AIDS & HP will:

- Read, understand and adhere to the **RNGOF ON HIV/AIDS & HP** Safeguarding Policy.
- Strive to promote a zero tolerance approach to discrimination, sexual harassment and abuse in all working environments
- Strive to develop relationships with all stakeholders which are based on equality, trust, respect and honesty.
- Place the safety and welfare of children and vulnerable people above all other considerations
- Report any concerns they may have about the welfare of a child or vulnerable person
- Report any concerns they may have about the behavior of a **RNGOF ON HIV/AIDS & HP** representative in relation to safeguarding
- In a one-to-one situation with a child or young person, where privacy and confidentiality are important, try to make sure that another adult knows the contact is taking place and why. If possible ensure another adult is in sight and that the child or young person knows another adult is around.

10.1.2. All people working with RNGOF ON HIV/AIDS & HP will not:

- Sexually harass, assault or abuse another person
- Physically harass, assault or abuse another person
- Emotionally abuse another person, such as engaging in behavior intended to shame, humiliate, belittle or degrade
- Condone, or participate in behavior which is abusive, discriminatory, illegal, or unsafe
- Develop, encourage or fail to take action of relationships with children or other vulnerable people which could in any way be deemed sexual, exploitative or abusive
- Act in ways that may be violent, inappropriate or sexually provocative
- Agree with a child to keep a secret which has implications for their safety or the safety of other young people.

11. The Executive Secretary

The Executive Secretary is responsible for ensuring employees, volunteers, interns, consultants, visitors member and partner organizations are aware of the policy and are supported to implement and work in accordance with it, as well as creating a management culture that encourages a focus on safeguarding. He/She must ensure that they are responsive, acting immediately if they become aware of any safeguarding concerns, and supportive towards employees or volunteers who complain about breaches in this policy.

12. Designated Safeguarding Managers (Designated by Executive Board of Directors and Executive Secretary)

Designated safeguarding managers are responsible for handling reports or concerns, about the protection of vulnerable people, appropriately and in accordance with the procedures that underpin this policy.

The lead designated safeguarding manager is responsible for:

- Monitoring and recording safeguarding concerns
- Ensuring referrals to the relevant authorities happen without delay
- Updating safeguarding training for all staff
- Ensuring this policy is reviewed every 3 years or earlier if necessary
- Ensuring it is implemented throughout the organization and safeguarding training given
- Ensuring monitoring and recording procedures are implemented

13. RNGOF ON HIV/AIDS & HP Executive Board

The RNGOF ON HIV/AIDS & HP Executive Board is responsible for ensuring the effective implementation of this policy and associated procedures and ensuring that everyone linked with **RNGOF ON HIV/AIDS & HP** is equipped and supported to meet their responsibilities. The executive holds ultimate accountability for this policy.

14. Procedure Overview

14.1. Recruitment and Selection:

- Safe recruitment and vetting processes are followed for all volunteers, interns, employees, consultants, and member and partner organizations.
- Where an employee, volunteer or partner is engaged in ‘regulated activity’ (direct work with vulnerable individuals), a criminal background check will be undertaken as part of the recruitment process.
- **All RNGOF ON HIV/AIDS & HP** employees interns and volunteers must sign and abide by this safeguarding policy and the Code of Conduct. The code sets out the standards of practice we expect of employees and volunteers - in terms professional

competence, integrity, acting as a representative and in safeguarding - which support our vision, mission and values.

14.2. Induction and Support:

Advice support and training on safeguarding will be provided to all employees , interns and volunteers on:

- What they should do in the event of a disclosure
- What to do if they have concerns about the welfare of a child o How to recognize signs of abuse
- What to do if they have concerns about a RNGOF ON HIV/AIDS & HP employee, intern, volunteer, or employee of a partner or member organization
- Where to go for advice and support within the organization

Ensure that clear processes for reporting and dealing with safeguarding concerns and incidents are widely communicated, regularly reviewed and consistently applied. Where allegations are made about an employee, careful consideration must take place about the appropriateness of the person continuing to work with **RNGOF ON HIV/AIDS & HP**.

15. Data Protection

Ensure that personal information is kept confidential unless we have the agreement of the individual and/or their parent/guardian, except where it is necessary to pass this to a specialized child welfare or law enforcement agency in relation to a safeguarding incident.

15.1. Minimum Standards

Where employees, interns or volunteers are contracted by other employers, or when working with partners, **RNGOF ON HIV/AIDS & HP** will brief them on our safeguarding policy and ask for information on how the organization works to protect vulnerable people and ensure that they meet our Safeguarding Standards.

15.2. Social Media

In regard to laws on media and the use of actual names, images, including photographs and recordings, **RNGOF ON HIV/AIDS & HP** applies them in all situations specifically relating to protection of children, young people and vulnerable adults, we will continue to:

- Use names and images of children, young people or vulnerable adults which are respectful and not expose them to further vulnerability (not degrading or showing sexual images of children naked or partially clothed).
- Reproduce images and use names of children only where we have the written permission of their parents / guardians using a consent form.

- Reproduce images and use names of young people and vulnerable adults only where we have their written permission or that of their parents/guardians, whichever is the most suitable.
- Make clear to vulnerable people and their families that agreement to providing information or images is not a condition of involvement in **RNGOF ON HIV/AIDS & HP** activities and programmes.
- Inform employees, interns , volunteers and partners about the **RNGOF ON HIV/AIDS & HP** standard protocols in relation to the use of technology, and understand that they must not use this technology for the purpose of accessing, producing or distributing any information or violent or sexual images that are harmful to vulnerable people. This includes adult pornography.

Ensure that **RNGOF ON HIV/AIDS & HP** has a format for carrying out and implementing risk assessments at all levels of the organization.

Train and support the designated safeguarding managers in their work and in any action they may need to take in order to protect vulnerable people.

16. Raising and responding to concerns

RNGOF ON HIV/AIDS & HP places a mandatory obligation on all employees, interns, volunteers, member and partner organizations to report concerns, suspicions, allegations and incidents which indicate actual or potential abuse or exploitation vulnerable people or which suggests this policy may have in any other way been breached. It is not the responsibility of the employees to decide whether or not abuse has taken place, however, concerns should be raised with an individual's supervisor or Executive Secretary who will initiate the procedure for dealing with suspected or actual incidents of abuse.

Designated Safeguarding manager is responsible for ensuring that the reporting procedure is followed so that suspected or actual cases of abuse are responded to appropriately and consistently, and referred to the relevant statutory authority.

To ensure that all such situations are handled appropriately and effectively:

- Reports must be made, and decisions and actions taken .
- **RNGOF ON HIV/AIDS & HP** is not an investigative authority. It is essential that referrals are made to the **Rwanda National Police** to ensure that appropriate protection and support is given to the vulnerable individual, and that any evidence is collected in accordance with the law.

- All sensitive and personal data must be kept confidential (including the names of anyone who makes a report of abuse), and be shared on a strictly ‘need to know basis’, that is, access must be necessary for the conduct of one’s official duties.

- Where a **RNGOF ON HIV/AIDS & HP** employee is the subject of an investigation, the lead designated safeguarding manager will lead the case.

1. **Reviewed By: Nooliet KABANYANA** Executive Secretary RNGOF on HIV/AIDS & HP:

Date: January 4th 2016

Signature: _____

2. **Approved By: Felicite RWEMALIKA** Chairperson Board of Directors RNGOF on HIV/AIDS & HP :

Date: January 4th 2016

Signature: _____

Appendix 1: PARENTAL CONSENT FORM

Parental Consent for Photographic/Film Use of Children under 18 years of age/vulnerable adult:

I, (adult's name) _____

Of (address) _____

Being the child/children's/ parent or legal guardian, hereby give permission for

(School name) _____

(School address) _____

To take and use publicity photographs/film of

(Child/children's name's) _____

Age of child _____

Age of child _____

Age of child _____

I also consent to use of the photos for publicity, marketing, and advertising for **RNGOF ON HIV/AIDS & HP** projects. I agree that the photos/film may be combined with other images, text and graphics and be cropped, altered or modified in any way that **RNGOF ON HIV/AIDS & HP** deems appropriate.

I consent to the provision of this form and the details within it to **RNGOF ON HIV/AIDS & HP**, and to their storing these on a database.

I understand that the child's/children's name/s will not be given to press or public without my consent. I also understand that I may cancel this permission in writing, and that **RNGOF ON HIV/AIDS & HP** will take all reasonable steps to ensure that the photograph/film is withdrawn from future use.

I further understand that I shall receive no remuneration for this assistance.

Signed _____ -

Date: _____