



# **JRS Indonesia**

## **Child Safeguarding Policy**

### **2020**

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# JRS Indonesia

## CHILD SAFEGUARDING POLICY

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#### Introduction

The Jesuit Refugee Service (JRS) is an international Catholic organization, established in 1980 by the Society of Jesus (Jesuits) that operates in over 50 countries with a mission to accompany, serve and defend the rights of refugees and other forcibly displaced persons, whether they be refugees in camps and cities, individuals displaced within their own countries, asylum seekers in cities or those held in detention centres. Through its work across the globe, JRS personnel engage both directly and indirectly with children, through their education support and other activities that directly benefit their parents or guardians. In all its activities, JRS personnel acknowledge that all children, regardless of their nationality, religion, race, culture, social status, sex, language or (dis)ability, should be protected from abuse and exploitation.

JRS recognizes that in various humanitarian situations where forced displacement occurs, all affected persons (particularly children), are sometimes vulnerable to abuse and exploitation by personnel affiliated to humanitarian agencies tasked with caring for and assisting them. Humanitarian environments often create unequal power relations between beneficiaries and humanitarian workers and present opportunities for exploitation and abuse of power, necessitating measures to prevent this occurrence.

This is a JRS Indonesia National Policy that establishes minimum standards and guidelines for the safeguarding of children who come into contact with JRS personnel and volunteers in all JRS works. In cases where JRS works through partners, these partners also have a responsibility to meet these minimum standards of protection for the children served in their programmes. JRS will accompany and assist all partners in building capacity in this area. This policy will be applied in accordance with the national laws of the country of operation, as well as the following guiding documents and legal frameworks:

#### Guiding Documents and International Treaties:

- JRS Code of Conduct and JRS Human Resources Policy Handbook
- UN Convention on the Rights of the Child (1989)
- Universal Declaration of Human Rights (1948)
- Geneva Conventions (1949) and Protocols I and II (1977)
- Convention Relating to the Status of Refugees (1951) - (plus 1967 Protocol)
- Guiding Principles on Internal Displacement (1998)
- Minimum Age Convention (1973)
- Convention on the Worst Forms of Child Labour (1999)
- Global Protection Cluster Minimum Standards for Child Protection in Humanitarian Action (2012)
- Guidelines on Sexual and Gender-Based Violence in Refugee, Returnee and Displaced Situations (2003)
- Inter-Agency Standing Committee (IASC) Commitment on Eliminating Sexual Exploitation and Abuse by UN and non-UN/NGO Personnel (2008)

#### Regional Treaties and Guiding Documents:

- African Charter on the Rights and Welfare of the Child (1999)
- Convention Governing the Specific Aspects of Refugee Problems in Africa (1969)
- Kampala Convention (for the Protection and Assistance of Internally Displaced Persons in Africa) 2009
- American Convention on Human Rights (1978) [OAS]

- Convention for the Protection of Human Rights and Fundamental Freedoms (1950 / as amended by Protocol No. 11 - 1998) [Council of Europe]
- Cartagena (Latin America) Declaration on Refugees (1984)
- Arab Charter on Human Rights (2004) [League of Arab States]
- ASEAN Human Rights Declaration (2012) [Association of South East Asian Nations]

National Legislation:

- Law No. 23/2002 on Child Protection.
- Law No. 35/2014 Amending Law on Child Protection (No. 23/2002).
- Interim Emergency Law 1 of 2016 Amending the 2002 Law on Child Protection

## Policy Compliance

This policy will be applied to **all personnel** affiliated with JRS Indonesia. This includes all staff (those with contracts, interns, and volunteers), consultants doing work on behalf of JRS Indonesia, or any other person that JRS Indonesia considers to be legally recruited by the organization (for instance, media personnel and representatives from donor/funding organizations).

JRS Indonesia affirms that all its members should uphold the highest standard of respectable conduct as they owe a professional duty of care and protection towards children. They are required to uphold the best interests of the child and take measures that are necessary and reasonable to ensure that they do not subject children to physical, sexual, emotional and verbal abuse, exploitation or neglect. JRS Indonesia must ensure that the protection of children is a priority in all its work. The principles involved derive from the United Nations Convention on the Rights of the Child (UNCRC):

- All children have equal rights to protection from abuse and exploitation
- All children should be encouraged to fulfil their potential and inequalities should be challenged
- Everybody has a responsibility to support the care and protection of children
- International NGOs have a duty of care to children with whom they and their representatives work
- If agencies work through partners, they have a responsibility to meet minimum standards of protection for the children in their partners' programmes
- All child protection interventions should follow the '*Best Interest of the Child*<sup>1</sup>' principle, as outlined in UNCRC.

Prompted by scandals regarding the sexual exploitation of refugee children<sup>2</sup>, and aware that no organization can afford to be complacent about the potential for wrongdoing within its own ranks, JRS Indonesia therefore undertakes to put in place safeguards for the protection of refugee children. JRS clearly states that sexual exploitation and abuse represent a betrayal of trust as well as a devastating failure of protection:

***Any form of sexual or gender-based violence or abuse constitutes a violation of the fundamental values of JRS. In all cases, JRS prohibits its personnel to engage in sexual activity with a person under the age of 18, regardless of the age of majority in any local context, due to different social, cultural or religious reasons.***

<sup>1</sup> The Best Interest of the Child principle derives from Article 3 of the UN Convention on the Rights of the Child, which says that "in all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration". Assessing the best interests of a child means to evaluate and balance "all the elements necessary to make a decision in a specific situation for a specific individual child or group of children".

<sup>2</sup> See UNHCR and Save the Children UK report into sexual violence and exploitation of refugee children (2002)

Since JRS is committed to acting at all times in the best interests of children and it shares the view that the Catholic Church, and any Catholic agency, should be an example of **best practice** in the issue of child protection, this policy is a step towards addressing the issue. By introducing and implementing these procedures, JRS commits itself to making the issue of protection a priority.

## Definitions

- **Child:** JRS Indonesia adopts the internationally recognized definition provided in the 1989 UN Convention on the Rights of the Child, to include *“every human being below the age of eighteen (18) years, unless under the law applicable to the child, majority is attained earlier”*<sup>3</sup>
- **Personnel:** includes all staff at the National, Regional and International levels (those with contracts, interns and volunteers), Advisory Council members, consultants doing work on behalf of JRS, as well as any other person JRS considers to be legally recruited by the organization. It also refers to sub-contracted staff from other agencies (including volunteers) and members of the refugee community (incentive workers) who are hired (paid or voluntarily) to work with JRS<sup>4</sup>.
- **Child Safeguarding:** measures taken by JRS to ensure that children with whom the organization comes into contact are not subjected to willful or intentional physical, sexual, emotional and verbal abuse, exploitation or neglect by the organization’s personnel. This involves proper risk assessment at project level and the putting in place of systematic preventative measures to reduce risk of harm to children.
- **Child Protection:** procedures put in place to respond to all allegations and/or suspicions of child abuse. The protection and safety of the child is the paramount concern. JRS is committed to taking whatever action is necessary to ensure that children receive the highest standard of care available.
- **Child abuse** constitutes *“all forms of physical and/or emotional ill treatment, sexual abuse, neglect, negligent treatment or 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 or responsibility, trust or power” - (World Health Organization)*
- **Exploitation:** the use of one’s position of power, authority, office or trust to profit from children by means of coercion, threats, force, inducement or other similar methods, with or without promises of assistance to them or their families/caregivers.
- **Physical Abuse:** consists of actions that intentionally inflict injury on a child’s body, such as hitting, beating, kicking, pinching, burning etc.
- **Sexual Abuse:** includes the actual or threatened physical intrusion of a sexual nature, including inappropriate touching, use of verbal sexual innuendos, using force or coercion to solicit sexual acts. *Note: consent given by a child is not a defense.*
- **Sexual Exploitation:** the abuse of a child through the use of one’s position of power or trust to profit sexually from a child, sometimes in exchange for or with promises to provide them with any type of assistance. In this

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<sup>3</sup> The Convention defines a ‘child’ as a person below the age of 18, unless the laws of a particular country set the legal age for adulthood younger, in which case national law takes precedence (particularly for the purpose of drafting a Country level Child Safeguarding Policy). The Committee on the Rights of the Child, the monitoring body for the Convention, has encouraged States to review the age of majority if it is set below 18 and to increase the level of protection for all children under 18. However, the vast majority of countries already concur with the UNCRC definition.

<sup>4</sup> However, Incentive Workers are not required to sign the full version of this policy, but instead must sign a summary policy, which should be translated, if necessary, into their own language. At a minimum, Incentive Workers must be briefed on the child safeguarding policy and procedures and given clear guidance on the JRS Code of Conduct and standard operating procedures regarding standards of behaviour around children.

case, the child feels that he or she is powerless and has no other choice but to agree. It also refers to the soliciting of children to others for the purpose of commercial gain. *Note: consent given by a child is not a defense.*

- **Emotional and Verbal Abuse** – includes verbal insults, intimidation, threats, bullying and any actions of a discriminatory nature.
- **Neglect** – occurs when a child suffers significant harm or injury because JRS personnel willfully omit to perform their duty or because of their position in office they use their power to withhold rightful assistance.

## Legal Framework

Indonesia ratified the UN Convention on the Rights of the Child (UNCRC) in 1990. The Law 23 of 2002 on Child Protection, as amended by Law 35 of 2014, bases child protection on the UNCRC's four principles: non-discrimination; the best interests of the child; the rights to life, survival, and development; and respect for the opinions of children (Article 2). The Law defines a child as a person under eighteen years of age, including children still in the womb (Article 1(1)). The Law introduces the concept of *special protection* the government or an authorized state institution has to provide to children in emergency situations; who come before the law; from a minority or isolated group; who are economically or sexually exploited; who are victims of the abuse of narcotics, alcohol, psychotropic substances, and other addictive substances; who are victims of pornography; with HIV or AIDS; who are victims of kidnapping and trafficking; who are victims of physical or psychological violence; who are victims of sexual crimes; who are victims of terrorist networks; with disability; or who are neglected or abandoned (Article 59). Article 60 states that children in emergency situations include refugees; victims of rioting or social disturbance; victims of natural disaster; and children caught up in armed conflict. The Law also established an independent agency namely the Indonesian Commission for the Protection of Children (*Komisi Perlindungan Anak Indonesia*, or KPAI for short). Under Article 76, the Commission supervises child protection and collects data, receives complaints and reports them to the president. The KPAI, which is a statutory authority, works with the National Commission for the Protection of Children (*Komisi Nasional Perlindungan Anak*), which is an NGO established in 1998 with support from UNICEF as an umbrella body for non-governmental organizations working on child protection. Articles 77–90 establish sanctions for violating children's rights.

Law No. 35 of 2014 Amending Law on Child Protection (No. 23/2002) makes considerable number of amendments to the 2002 Law, in particular amends articles 1 (definitions), 6 (freedom of religion), 9 (right to education), 12 (rights of children with disabilities), 14 (right to live with parents), 15 (provides that every child has the right to be protected from: abuse in political activities; involvement in armed conflict; involvement in social unrest; involvement in events containing violent elements; involvement in war; and sexual crimes), 20 (lists those responsible for implementation of child protection), 21 (obligation to implement this law without discrimination with respect to the child's race, religion, class, gender, ethnicity, culture and language, legal status, birth order, and physical and/or mental capabilities), 22 (obligation of government to support parents and guardians). Also amends the following articles: 23-28, 33, 38, 38A, 38, 39, 41, 41A, 43-45, 45A, 45B, 46-49, 51, 53-56, 58, 59, 59A, 60, 64-67, 67A, 67B, 67C, 68-77, 80-83, 86-89, 91.

Interim Emergency Law 1 of 2016 Amending the 2002 Law on Child Protection, revising Articles 81 and 82, and inserting two new Articles, 81A and 82A. These controversial revisions made the death penalty, chemical castration, and the implantation of electronic monitoring devices available as punishments for child sex offenders. This Law allows judges to impose the death penalty upon those who use violence, or the threat of violence, to force a child to engage in sexual relations (either with oneself or another person), if this involves multiple victims, or results in severe injury, mental disturbance, infectious disease, loss of reproductive function, or death. None of these provisions require judges to hand down the death penalty; its imposition is always discretionary.

The laws in Indonesia are framed in rights-based language and include a statement of children's rights. Indonesia has introduced a general law that recognizes children's right to protection but provide limited guidance on authority, process and procedures for preventing and responding to child maltreatment. Indonesia has no statutory provision

making it mandatory to report any known or suspected incidence of child maltreatment to the police or child welfare authority. In Indonesia, no mandatory reporting requirement applies even to teachers, child care workers, doctors, nurse, and other particular categories of professionals who work with children.

#### **JRS Indonesia:**

- Positively reaffirms its commitment to the values that guide and inspire JRS and accord a high priority to child safeguarding and protection.
- Accepts the **JRS Code of Conduct** and ensures that all personnel have signed it and are fully aware of it and the sanctions for failing to respect it, incorporating the Code of Conduct into recruitment, orientation, work reviews and periodic training programmes.
- Sets in place, implements and regularly monitors procedures to protect children, including recruitment practice, personnel training and management responsibilities. *This document provides minimum standards for those procedures.*
- Strengthens accountability mechanisms - including the review of policies, job descriptions, training and assistance programmes, supervision, reporting, and disciplinary action (with a view to protecting the rights and confidentiality of both alleged victims and the accused, bringing justice and closure to incidents of abuse and exploitation).
- Communicates clearly to employees and beneficiaries the channels of reporting and the consequences of misconduct, as well as the consequences of complicity in and failure to report misconduct.
- Increases the access to and confidentiality of complaint mechanisms so that children are more likely to seek help when they feel at risk or have been exploited.
- Fosters an environment of respect, trust and accountability so that children feel comfortable talking about their problems, employees respect children's boundaries, and adults and children are willing to challenge exploitative or abusive behaviour at an early stage.

#### **Appointment of Child Safeguarding Officers**

- In order to ensure that these child safeguarding measures are implemented, 2 designated Child Safeguarding Officer (CSOs) have been appointed for the JRS Indonesia National Office. (The Deputy CSO is appointed to stand in for the CSO in case of absence, unavailability or in the event that an allegation is made against the CSO).
- Child Safeguarding Officers are appointed by the Country Director, in consultation with the Human Resources Officers. However, the Country Director and/or Country Human Resources Officers may also be the appointed Child Safeguarding Officers.

Child Safeguarding <b>Contact Details</b> for <b>JRS Indonesia (Country) Office:</b>	
<p><b><u>Child Safeguarding Officer</u></b></p> <p><b>Name:</b> Indrayanto Prasetyawan  <b>Position:</b> National Human Resources Administration Officer  <b>Telephone:</b> +62 813 2628 4581  <b>Email:</b> indra@jrs.or.id</p>	<p><b><u>Deputy Child Safeguarding Officer</u></b></p> <p><b>Name:</b> Fransisca Dwi Indah Asmiarsi  <b>Position:</b> National Program Officer  <b>Telephone:</b> +62 878 3931 7688  <b>Email:</b> asmiarsi@jrs.or.id</p>

- The Child Safeguarding Officers will closely collaborate with their respective Human Resources Officers, as child safeguarding is closely related to the JRS Code of Conduct and Human Resources Policy.
- The Human Resources Officer will support the provision of guidelines, induction, training and assistance in the implementation of child safeguarding initiatives and the appointment and training of Child Safeguarding Officer(s).
- A minimum of 1, but preferably 2, Child Safeguarding Officers should also be appointed as a focal point at each project office. These CSOs will liaise very closely with the Country Office CSOs, who in turn will liaise with the Regional CSO.

Child Safeguarding <b>Contact Details</b> for <b>JRS Indonesia (Project) Office<sup>5</sup></b> :	
<p><b><u>Child Safeguarding Officer</u></b></p> <p><b>Name:</b> <b>Position:</b> <b>Telephone:</b> <b>Email:</b></p>	<p><b><u>Deputy Child Safeguarding Officer</u></b></p> <p><b>Name:</b> <b>Position:</b> <b>Telephone:</b> <b>Email:</b></p>

- The Human Resources Officer will provide detailed roles and responsibilities for Child Safeguarding Officers at National and Project levels. (Below is a summary of the role of a CSO).

### **Role of the Child Safeguarding Officer**

1. Receive information about a concern or allegation (confirming that the information is recorded in the standardised **JRS Report Form** – see Appendix 1) and ensure the procedure about how to manage suspicions, allegations and disclosures of abuse is followed and that a referral has been made to the statutory authority if appropriate.
2. Create a child safeguarding case file for every referral that includes a log of actions, events and information received. Entries should be made as soon as possible after the event. They must be timed, dated and signed by the author. The CSO must take possession of any written records made by any person in connection with the case and place them on the confidential Child Safeguarding Case File.
3. Explain the procedures for addressing the concern, allegation or disclosure to the person who has raised the concern and discuss issues of confidentiality and data protection with them. Inform staff that a complaint has been made and make a recommendation about any immediate action(s) that may need to be taken in order to ensure the safety of children.
4. Contact emergency (or other appropriate) services where a child appears to be at immediate and serious risk of harm. An immediate referral should be made to the National Child Protection Services (or equivalent). If it is not possible to contact the National Child Protection Services, the Police authority should be contacted to ensure that under no circumstances is a child left in a dangerous situation pending intervention.
5. Conduct an initial interview with the person against who the allegation was made as soon as possible. The respondent shall be given information about his or her entitlement to seek legal advice and about the child safeguarding process. The respondent should be informed that he/she is not obliged, in law, to respond or to

<sup>5</sup> This section is for each project to complete upon receipt of the Country Policy. The *Country Office CSO* contact details should be available to all Project staff, but the *Project level focal points* also need to be added for each location.

furnish evidence, but that any statement provided will be taken into account in the investigation. The Child Safeguarding Officer should then inform the respondent of the nature and detail of the allegation/concern. The purpose of the interview is to inform the respondent of the existence of the allegation and of the process being followed. The respondent needs to be given enough detail about the disclosure/allegation/concern to be able to offer a response. A written record of the initial interview must be prepared, agreed with the respondent, signed and dated.

6. In cases where a Child Safeguarding Officer has a concern about a child but is not sure whether to make a referral, he or she should seek appropriate advice. He or she may consult the Country/Regional Director or CSO, the National Child Protection Services and/or Police authority on the appropriate steps to be taken. The Child Safeguarding Officer must keep a written record of the outcome of all consultations on the Child Safeguarding Case File.
7. Follow the advice of Child Protection Services/Police authority where a child protection concern has been referred to them. Allow the Child Protection Services/Police to conduct their enquiries unimpeded. Do not visit the family or contact family members without prior discussion with investigators.
8. Maintain a dialogue with the Investigating Officer or Social Worker to monitor the progress of the case and act on any advice given. Request a written account of the outcome of investigation from the Child Protection Services/Police. Details of contacts made should be recorded chronologically on the Child Safeguarding Case File.
9. In cases where the Child Safeguarding Officer decides not to report concerns to the National Child Protection Services or the Police, the individual staff, volunteer or member of the public who raised the concern should be given a clear written statement of the reasons why it is not being reported. They should be advised that if they remain concerned about the situation, they are free to directly contact Child Protection Services or the Police themselves.
10. If for some reason, in the case of a criminal accusation, any external investigation does not take place, begin an internal investigation (for this purpose an internal investigation committee/team needs to be formed). Any internal investigation will be initiated in cases where child safeguarding concerns remain or where disciplinary action needs to be considered. Such an investigation will gather and assess available information from all sources and witnesses. In cases where there is a delay, and particularly where a volunteer, staff or a lay person is suspended from duties, it is important to keep everyone informed of the progress of the investigation and to maintain records of such communications.

### **JRS Minimum Standards and Guidelines for Child Safeguarding**

JRS acknowledges that the issue of Child Safeguarding is a global challenge. This policy provides minimum standards and best practice guidelines that should be adhered to by JRS Indonesia management and personnel, to ensure that children are safe within all activities undertaken by the organization. This policy shall be implemented in compliance with the national laws of Indonesia, the JRS Code of Conduct and the JRS Human Resources Policy. All JRS Indonesia personnel will be required to sign and adhere to this policy, unless there is Project level policy which takes precedence.

**NB:** Whenever outside their country of operation staff and other representatives are bound to the JRS Child Safeguarding policy of that country or at a minimum are required to abide by the JRS Regional and/or JRS International Child Safeguarding Policy.

### **Standard 1: Procedures for Responding to Allegations**

The JRS Indonesia Child Safeguarding Officers will be the focal persons in country for receiving reports and



responding to any complaints related to child safeguarding issues. They will be expected to liaise with the relevant Director (be it Project or Country level), other Child Safeguarding Officers and Human Resources Officers in following up all complaints efficiently and effectively, as per JRS Human Resources Policy and in compliance with the national laws of Indonesia. In particular:

- Any allegations raised or reported **must** be forwarded directly to a Child Safeguarding Officer(s). See the **JRS Reporting Flowchart**, which indicates the steps that take place *after* a report has been made to the CSO.
- The Child Safeguarding Officer will liaise with the relevant Director and Human Resources Officer on how to share this information, with whom it will be shared, and the reporting procedures as guided by the JRS Human Resources Policy.
- Basic information is required to determine the exact nature of a concern or allegation and to make decisions on next steps. If this basic information is not available at the time the report is made, an initial ‘fact-finding’ exercise should be undertaken as a matter of urgency. The initial fact-finding exercise involves asking basic questions to establish what is being reported and gain a clear understanding of the complaint (as per details required in the Reporting Form). Although it is sometimes referred to as a preliminary investigation, it should not be confused with a formal investigation, which should only be carried out by the appropriate and trained authorities.
- Where it is established that the allegation constitutes a violation of the national laws of Indonesia (especially sexual offences), the matter **must** be immediately reported to the local authorities for further investigations<sup>6</sup>. For the purpose of assessing allegations and reports of abuse within JRS a Child Safeguarding Committee will be formed<sup>7</sup> (at Country level). The role of the Committee is to support and advise the CSOs in the handling of serious, urgent and sensitive allegations and to make an objective assessment on whether to involve other external agencies such as the local health officers, or appropriate agencies, to ensure that the best interests of the child involved is prioritized.
- It is important to reassure staff that no negative action will be taken against staff or volunteers who report, *in good faith*, information indicating perceived misconduct. Correspondingly, the accused must understand that they cannot request (or under any circumstances receive) the identity of the person raising the concern.
- All reports that are made to the Child Safeguarding Officer must be put in writing, including the dates, times and signed testimonies of all parties involved, and acted upon without delay until they are finalized. (See *JRS Report Form – Appendix 1*). The investigation process must include testimonies from both the person reporting the allegation, the person against whom an allegation is made and from witnesses if any are available. These testimonies must be signed by the person making them.
- If a member of staff or other representative is the subject of an allegation of child abuse, that person will be asked to take leave from their duties until an investigation has been completed and the investigation process explained to him/her. It should be made clear that such suspension does not imply guilt but rather protects the identity of all parties whilst an investigation is undertaken. If found guilty then punitive measures will be taken, in line with the JRS HR Policy and the national laws of Indonesia.
- If the allegations are made against a member of a religious congregation, the matter shall *also* be reported to his/her Superior or person in-charge of the congregation.
- In the case where the alleged violator is not JRS personnel, the Human Resources Officer in consultations with the Child Safeguarding Committee and the Country Director will decide on the most appropriate form of action

<sup>6</sup> The only exception to this rule is if there is no functioning authority in the area to report to or if by reporting the incident it may put the child at further risk. The ‘Do No Harm’ and ‘Best Interest of the Child’ principles would apply in this situation.

<sup>7</sup> A Child Safeguarding (or Protection) Committee typically comprises the Child Safeguarding Officer(s), the Director (or Assistant Director), the Human Resources Officer (or member of HR Team), someone from Programmes (perhaps an Advocacy Officer) and a member of the Board of Governors (or equivalent).

to be taken to deal with the incident.

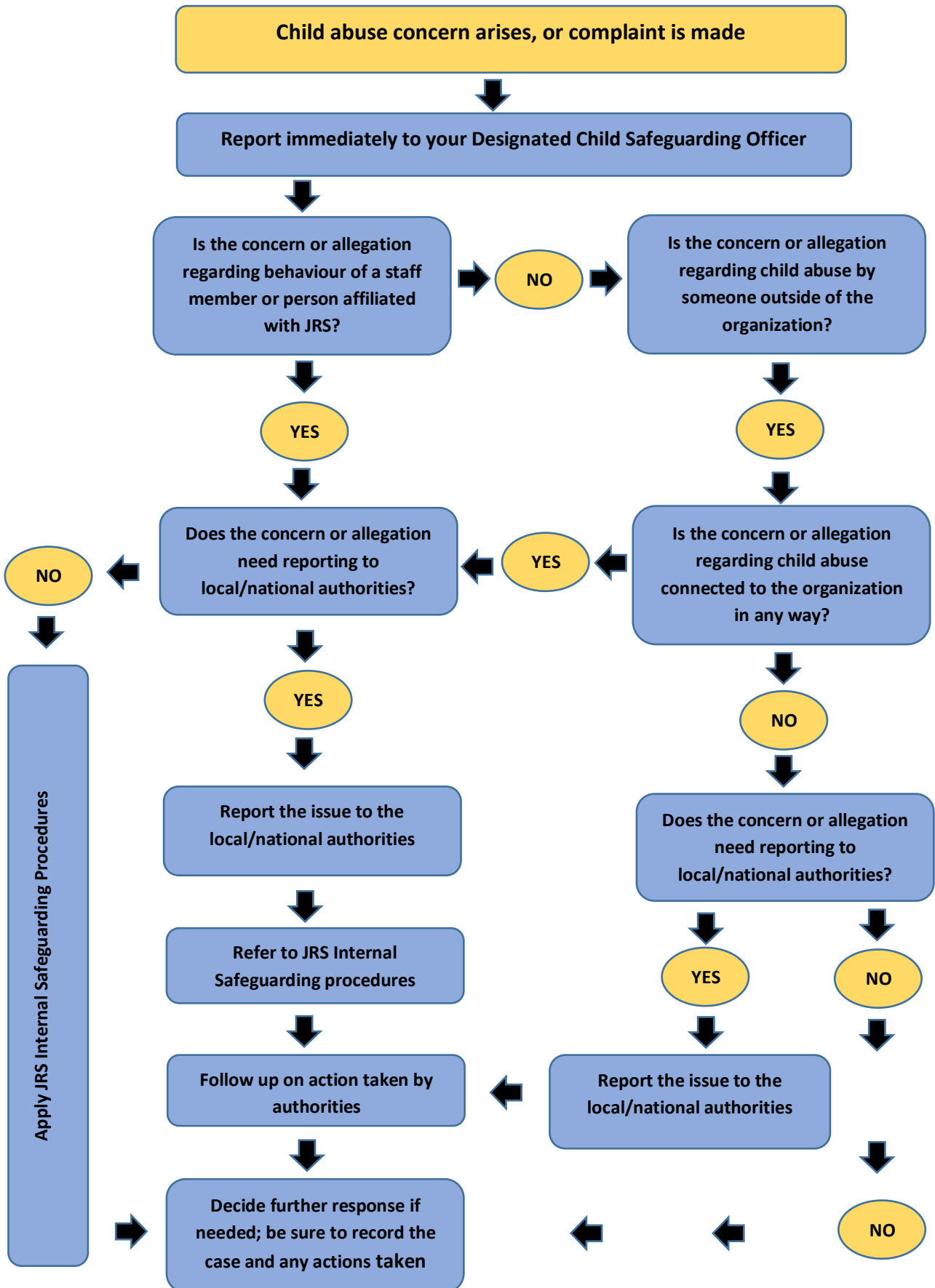
- An enabling environment will be created for children or aggrieved persons to freely communicate any form of abuse, including a suggestion box in an accessible place in every office where anonymous information can be given or more specific information can be given directly to the JRS Indonesia Child Safeguarding Officers.
- All allegations received, together with all the information, investigations and subsequent reports relating to the claim, will be held only by the people involved in the matter and only shared with relevant people in authority (this might include a JRS senior employee and/or, if appropriate, child protection personnel in a statutory agency and parents/carers of the child). All these documents shall be stored securely by the Child Safeguarding Officer who will ensure that they are not unnecessarily availed to other persons without just cause. In all cases, confidentiality should be carefully observed.
- All reported allegations shall be fully investigated to evaluate their accuracy (or otherwise) and appropriate measures taken in the best interests of protecting both the children and JRS personnel involved.
- In the event that any JRS personnel are found to be in breach of this Child Safeguarding Policy, he/she will be subjected to disciplinary action<sup>8</sup> in accordance with the existing JRS Human Resources Policy and national laws of Indonesia. He/She will also be ineligible for future employment with JRS. Where it is established that abuse has taken place, the guilty party will be dismissed from their post immediately and in the case of a criminal act the matter handed over to the police and Social Services.
- Should the allegations be found to be false or it is established that abuse has not occurred, JRS will work with the parties involved to restore their good name and reputation and steps will be taken to sensitively reinstate the staff member or representative without delay.
- JRS, being an organization that upholds the dignity of the person, may accord additional (e.g. psychosocial) care for the person making the allegation and the person against whom an allegation is made, and/or their family members where, in the assessment of the organization, it is deemed necessary.
- No force, intimidation or coercion should be used by anyone to elicit information about the alleged violation or abuse. JRS will take all necessary steps to ensure that the entire process is impartial, free from coercion or manipulation and will emphasize that personnel are presumed innocent until completion of the entire process.

**If anyone suspects abuse, or if a child/adult makes a disclosure about child abuse, take the following steps:**

- **Avoid delay.** Do not dwell on allegations or suspicions of abuse.
- **Report** the allegation or suspicion to your designated Child Safeguarding Officer (see *Report Flowchart* below)
- **Contact the appropriate authorities**, if in the best interest of the safety of the child (particularly if in a situation whereby the health and physical safety of the child is of great and immediate concern).
- **Accept what the child says** (It is not our responsibility to judge or investigate an allegation). It is our responsibility to receive information about any suspicions/allegations raised and to bring it to the attention of the Child Safeguarding Officer(s).
- **Always take the alleged abuse seriously.** You may only have some information, but others may also have received information that you are unaware of. The CSO will assess the case based on all information received.
- **Reassure the child** that they have done the right thing by telling you.
- **Let them know you need to tell someone else.** Do not promise total confidentiality.

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<sup>8</sup> The **disciplinary procedure** for JRS is laid out in the JRS Human Resources Policy Manual, under Section 10: 'Responsible Behaviour in the Workplace'.



- **Let the child speak freely** but do not press for information.
- **Never ask leading questions** (particularly about sexual abuse allegations)
- **Let the child know what you are going to do next** and that you will let them know what happens.
- **Record** carefully what you have heard whilst it is still fresh in your mind. Include the date and time of your conversation and any incident disclosed (*see report form*).

## **Standard 2: Preventing Harm to Children**

JRS Indonesia will ensure that its recruitment, induction processes and working environment do not allow for opportunities for child abuse and exploitation. To curtail instances of child abuse and exploitation, JRS personnel will uphold this policy in compliance with national laws of Indonesia, the JRS Code of Conduct, and the Humanitarian Standards for Prevention of Sexual Exploitation and Abuse. JRS will take appropriate steps to ensure that the environment for working with children is open, transparent and does not create room for exploiting or abusing children.

- JRS personnel should never engage in any form of inappropriate touching of children or use inappropriate language and behavior towards children as detailed in the **JRS Code of Conduct** (see Appendix 2). See also, basic *Do's and Don'ts* section below.

### ***Do's and Don'ts***

There are some simple rules and procedures that will minimise risk of an incident occurring.

- Treat everyone with respect, recognizing their right to personal privacy
- Be aware of situations which may present risk and manage these appropriately
- Plan and organize any events involving children so that risks are minimized
- Ensure that parents/guardians are aware of the event and have given informed consent
- Ensure a line of communication remains open in case of emergency
- Recognize that caution is required in all one-to-one situations
- Provide access for children to talk to others about any concerns they have
- Encourage children to feel comfortable enough to point out attitudes and behaviors they dislike
- Remember that someone else may misinterpret your actions, no matter how well intended
- Do not spend time alone with children – plan and arrange activities so that one other person is present, or at least other people are within sight and hearing distance
- Do not take children alone in a car, even for short journeys, unless this is unavoidable for safety reasons, and make sure an adult/carer or another member of staff is aware that it is happening
- Avoid inappropriate physical contact with children
- Avoid showing favoritism to any individual child
- Never make suggestive remarks or gestures, even in fun
- Do not trivialize or exaggerate child abuse issues
- Do not rely on just your good name to protect you
- Do not believe “it could never happen to me”

*(Adapted from Caritas International Child Protection Policy Framework)*

- JRS personnel must not take advantage of or mistreat or exploit vulnerable children, especially those with mental and/or physical disabilities.
- JRS personnel should make every effort to avoid situations in which they are lone adults working with one or more children. If circumstances result in such a situation occurring, they should resolve it as soon as possible

and note it to their managers.

- In the event that an activity is organised for children by JRS staff/volunteers, it is advised that parental/guardian consent is given (see sample **Parental/Guardian Consent Form** – Appendix 3), in order to ensure transparency and professional accountability at all times. This may also be implemented, for instance, as an annual Consent form. Children must be supervised by more than one adult and never placed in a situation that may create any risk of harm or expose to potential abuse.

### Safe Recruitment Procedures

- All JRS Indonesia personnel should be familiar with and sign a written agreement to follow the JRS Code of Conduct.
- All JRS personnel should have clear job descriptions and roles, with clear line management structures in place.
- Prior experience of working with children should be explored during recruitment procedures for all applicants for positions within JRS, especially those which involve direct contact with children.
- The Human Resources Officer, in collaboration with the Country Director, will take reasonable steps to ensure that all persons recruited, including those from religious congregations, do not have previous records of violating children. This includes (but is not restricted to) getting information from references, previous employers, filling of self-declaration forms on any previous convictions (see Appendix 4: **Self-Declaration Form**. This can act as a deterrent when recruiting personnel who may have been convicted in the past), permissible background checks or any other necessary organizational or legislative procedures used in the vetting process.
- All references should be checked to the fullest extent possible. For posts involving direct contact with children, in countries where a background police check is available and permissible, this check should be carried out. *See the box below for a simple checklist on safe recruitment.*

#### Checklist for safe recruitment

1. When you are designing the job description, **analyze the role** and think about the issues of child safeguarding and risk in that job: *What contact with children will the job involve? What sort of contact may the person have with children (e.g. direct, unsupervised, or via email, phone, letter, internet etc.)?*
2. Develop **clear job descriptions**, terms of reference for all posts including where short-term contracts, consultants are being recruited. In the advertisement, ensure there is a statement that the candidate will be vetted in accordance with the Child Safeguarding Policy.
3. Develop application forms that **ask for consent** to gain information on a person's past convictions/pending disciplinary proceedings.
4. Ask for documentation to **confirm identity** and proof of relevant qualifications.
5. Include some specific questions in the interview that **draw out people's attitudes and values** in relation to the protection of children. Can they give examples of where they have acted to protect a child, what they learnt from this, what impact it has had on their current practice?
6. Take up to **three references** including some from previous employees or others who have knowledge of the candidate's experience and suitability to work with children (for instance, a faith leader or a respected community member). Verify the identity of referees.
7. Consider the use of **probationary periods** of employment to ensure suitability once in post.

- Where recruitment agencies are employed, the selection procedures of such agencies should be scrutinised.
- Where staff/volunteers are sub-contracted from other agencies, JRS must ensure that those agencies have properly vetted these personnel. Any allegation or suspicion raised against these personnel, particularly in the case of expatriate staff, must be discussed on an individual basis by the Child Safeguarding Committee, in order to ascertain if a report should be sent to the person's country of origin.

### **Standard 3: Training and Education**

- In the orientation and induction process, the Child Safeguarding Officer(s) will explain the Child Safeguarding Policy and Procedures to new JRS Indonesia personnel.
- Personnel must be given time to read and understand the Policy, signing it only once they have had time to clarify any aspects of the Policy they are unsure about.
- The Human Resources Officer, in collaboration with the Child Safeguarding Officer(s) will facilitate regular trainings for existing JRS personnel on child safeguarding.
- The Human Resources Officer will ensure that additional on-going training is provided to all Child Safeguarding Officers – including their roles and responsibilities, the process of handling complaints, disciplinary actions and strengthening monitoring systems.
- Records of trainings provided to staff on child safeguarding should be kept by the Child Safeguarding Officer with copies to the Human Resources Office, where appropriate.
- Training needs and budgetary allocations will be evaluated each year by the Human Resources Officers as part of JRS Indonesia organizational development.
- Any staff/volunteers who require specific training or upskilling in relation to their work, if it improves the quality of child safeguarding/protection services, should receive support in doing so. This may apply to external training courses or attendance at conferences/forums on child protection and children's rights.

### **Standard 4: Communicating the Child Safeguarding Message**

- Based on the operational context, the Child Safeguarding Officer, the Country Director and the Human Resources Officer, will decide on how best to communicate the Child Safeguarding Policy and related messages to all personnel (and beneficiaries), to all persons visiting them and on the display of such information within JRS Indonesia offices and residences.
- Children should, in age-appropriate language, in a medium that suits them, be made aware of their rights, what constitutes child abuse, exploitation and neglect against them and the message should be communicated to them regarding whom they should report to, or seek advice from, if they feel they have been violated or offended in any way.
- This Child Safeguarding Policy and the JRS Code of Conduct should be translated into local languages where necessary and information communicated to children and beneficiaries through an appropriate format.
- Special consideration will be given to the following aspects:
  - All JRS personnel working in or visiting another country will be made aware of the relevant Child Safeguarding Policy and a copy availed to them.
  - Where appropriate, a summarized version of the policy statement, including the contacts of the person(s)

related to child safeguarding in that locality should be displayed in an open place (see Appendix 5: **Policy Statement/Contact Details Page**)

- Clear procedures on how child safeguarding concerns are reported and handled, while respecting confidentiality and dignity of all involved will be made available to *all project stakeholders*.

### **Use of Information, Photographic or Filming Equipment**

- No JRS personnel (staff, representatives and visitors) should *ever* take inappropriate photos or films of children. All media information taken should be relevant to the work of JRS and not for personal use.
- As far as is practically possible, photographic and/or filming equipment should *not be used without the consent* of the child and/or their parents and guardians. If it is not possible to get this consent due to the circumstances, at least a general explanation must be given as to why the photo or film is being taken.
- All media information, including photos and films must uphold the dignity of the child (see Appendix 6: **JRS Ethical Images Policy**)
- JRS personnel should never use mobile phones, email or internet facilities to capture, access or transmit inappropriate and/or indecent images of children.

### **Standard 5: Access to Advice and Support:**

- Where JRS Indonesia expertise in child safeguarding is limited, the organization shall liaise with their Regional and International Office and with other organizations that have expertise in this field. JRS Indonesia will maintain networks with agencies that offer support, advice and trainings in child safeguarding in order to continually develop its capacity in this field.
- JRS personnel should know the identity and contact details of the relevant Child Safeguarding Officer and have contact details for statutory authorities such as Social Services and the Police, as well as any national Child Rights NGOs or Child Protection Helplines.

<b>Child Safeguarding Officers and Statutory Authorities</b>	
Child Safeguarding Officer	Country Office of JRS Indonesia
Deputy Child Safeguarding Officer	Country Office of JRS Indonesia
Child Safeguarding Officer	Project Field 1 of JRS Indonesia
Deputy Child Safeguarding Officer	Project Field 1 of JRS Indonesia
Child Safeguarding Officer	Project Field 2 of JRS Indonesia
Deputy Child Safeguarding Officer	Project Field 2 of JRS Indonesia
Center of Integrated Service for Women and Children Empowerment ( <i>Pusat Pelayanan Terpadu Pemberdayaan Perempuan dan Anak</i> , or P2TP2A for short)	in sub-district, district, city, and province
Women and Children Service Unit ( <i>Unit Pelayanan Perempuan dan Anak</i> , or PPA for short)	Satuan Reserse dan Kriminal (Satreskrim) at provincial district police offices (Polda) and district ones (Polres); local police offices do not have such units   Call Center: 110

- When responding to a case of abuse JRS must first prioritize the dignity and welfare of the child, particularly the safety, health and psychosocial needs of the child.
  - **Safety** - Children and adults disclosing information should be informed of any limits on the Country office's capacity to provide or garner protection (where such may exist). Responding to safety needs should be

considered at the local mapping stage and may include, for instance, relocating the child to a 'safe house'.

- **Health** - Medical intervention should be arranged to promote the child's health and wellbeing. Emergency medical attention may be needed. If the child is a victim of sexual exploitation/ abuse she/he may have sustained injuries (if violence was used) which may not be visible. If there is information to suggest that sexual activity has occurred within the previous 72 hours, referral for medical treatment *must* be immediate if emergency treatment to prevent any risk of HIV infection is to be effective.
  - **Psycho-social** - Crisis counselling and support is needed to help the child abuse victim deal with the self-blame, guilt, shame and fear which are often common effects of child sexual abuse. In the case of sexual abuse, individuals and family may also need support in dealing with the community stigmatisation which may occur as a result
  - **Legal/ justice** - The decision-making process and the steps to take to refer to national authorities should be detailed in the reporting procedures. JRS may need to seek legal advice during a referral (or the child may need access to legal advice but not know how to seek it). JRS can refer the child to (preferably free) legal services.
- During the referral process, JRS recognises the barriers to reporting as well as the potential for additional exposure to harm. JRS will assess the local protection environment and, where possible, assist and accompany children (and adults acting on their behalf) during the reporting/referral process.
  - JRS CSOs will not only offer advice and support to fellow staff and to children and beneficiaries, but must also receive advice and support when needed, in order to effectively carry out their roles. This may include psychosocial support, or legal advice, as required.

#### **Standard 6: Implementation and Monitoring**

- It is **mandatory** that all JRS personnel read, understand and sign the JRS Indonesia Child Safeguarding Policy, in addition to the JRS (Global) Code of Conduct. Failure to adhere to this Child Safeguarding Policy will be dealt with in accordance with the JRS Code of Conduct, the JRS Terms and Conditions of Employment and the national laws of Indonesia.
- Records of child safeguarding incidents reported throughout the year will be evaluated annually, as part of the monitoring and evaluation process. They will be shared only with the relevant and authorized JRS personnel.
- JRS Indonesia will carry out basic risk assessments, particularly at project level, to monitor the changing protection environment and to remain aware of emerging threats and risks to the safety of children under our care. These risk assessments will help inform programming and policy/procedures.
- This policy will be reviewed *at least once every three years* by the Human Resources Officer, in collaboration with the Child Safeguarding Officer(s) and Country Director, using the **JRS Child Safeguarding Self-Audit Tool** (see Appendix 7).
- This Child Safeguarding Policy shall be implemented together with the JRS Code of Conduct and the JRS Human Resource Policy and in accordance with the laws of Indonesia. Implementation of this policy should take the form of a JRS Indonesia Child Safeguarding Action Plan, based on the findings of a risk assessment and self-audit.
- Any relevant amendments shall be made to the policy at any time, to ensure that it complies with any new developments in policy standards and international legislation that relate to the safeguarding of children within the realm of activities undertaken by the organization.
- Amendments to this policy will be reviewed with the Human Resources Manager and the Country Director and will form the updated version of the policy. All updated versions or amendments must be circulated to all JRS project offices for their attention and shared also with the JRS Regional office.



**Policy Approval**


This policy has been reviewed and approved by the JRS Indonesia Country Director in consultation the JRS Indonesia Human Resources Manager.

This policy comes into effect on the January 1<sup>st</sup>, 2020.  
Policy review date is January 1<sup>st</sup>, 2023.

PETER BENEDICTO DEVANTARA SJ  
**Country Director**  
*JRS Indonesia Country Office*

INDRAYANTO PRASETIYAWAN  
**HR Officer**  
*JRS Indonesia Country Office*

Signed:   
Date: January 1<sup>st</sup>, 2020

Signed:   
Date: January 1<sup>st</sup>, 2020

**Statement of Commitment to Child Safeguarding Policy**

I, \_\_\_\_\_, confirm that I have read and received the JRS Indonesia Child Safeguarding Policy. I have had the opportunity to ask questions and seek clarification on any points that were not clear to me.

I am now fully aware of my obligations as a member of staff/volunteer/collaborator to act in full accordance with the requirements of this policy. This includes appropriate professional behaviour and the responsibility to report instances of abuse or suspected abuse of children that may come to my attention.

I understand the consequences if I fail to act in accordance with this policy.

**NAME (BLOCK LETTERS)** .....

**SIGNATURE:** .....

**DATE:** .....

**WITNESS (BLOCK LETTERS)** .....

**WITNESS SIGNATURE:** .....

**DATE:** .....

**Appendix 1: Reporting Form for Suspected Child Abuse**  
(To be completed by persons reporting abuse)

**1. DATE OF DISCLOSURE/CONCERN**

Date of disclosure/concern	
Time of disclosure/concern	
How was the information received? E.g. by telephone, email, letter or in person? (Attach any written information to this form)	

**2. DETAILS OF PERSON MAKING DISCLOSURE / RAISING CONCERN**

Name	
Address	
Telephone Number	
Email	
Relationship to child or alleged victim?	

**3. DETAILS OF CHILD OR ALLEGED VICTIM**

Name	
Date of Birth	
Sex (Male or Female)	
Address	
Telephone Number	
Ethnic Origin	
Language spoken (Is an interpreter needed?)	
Any disability or special needs?	

**4. PARENT/GUARDIAN DETAILS (where appropriate)**

Name	
Address (if different from above)	
Telephone Number	
Are they aware of the allegation, suspicion or complaint? (Yes or No)	

**5. DETAILS OF ALLEGED PERPETRATOR**

Name	
Address	
Telephone Number	
Relationship to Child/Victim	
Position (in JRS Office / Project / Camp / Community etc.)	
Address at time of alleged incident(s)	
Current contact with children if known (e.g. teaches children, volunteers etc.)	
Any additional information	

**6. DETAILS OF CONCERN, ALLEGATION OR COMPLAINT**

Date of incident	
Time of incident	
Location of incident	
Were there any witnesses? (Who? How many? Etc.)	
Details of the incident	
Does the child/victim know the referral is being made?	

**7. ACTION TAKEN**

Has the matter been referred to the relevant authorities? (Yes or No)	
If Yes, Date and Time of referral	
If No, explain why	
Who was it referred to? (Give name and designation of person)	
Address	
Telephone number	
Email (if available)	

**8. NEXT STEPS**

What actions were agreed upon and by whom when the matter was referred to the relevant authorities?	
Are there any immediate child protection concerns? If so, please record what they are and state what actions have been taken and by whom.	

**9. DESIGNATED CHILD SAFEGUARDING OFFICER DETAILS (Or person completing the form)**

Name	
Telephone Number	
Address	
Position in the Organization	
Date of form completion	
Time of form completion	
Signature	

**NB: A copy of the completed form must be filed in a secure location and a copy must be sent to the designated officer and civil/statutory authorities**



## **Appendix 2: JRS Code of Conduct**

### **INTRODUCTION**

JRS is an international Catholic agency that provides specialized support services to refugees and other forcibly displaced persons in over 50 countries around the world. Our mission, as stated in our Charter, is to accompany, serve and defend the rights of refugees and other forcibly displaced persons. This mission is built on a faith in God who is present in human history, even in its most tragic moments. Our work is inspired by this faith, and by the following core values:

- **Compassion** that impels us to alleviate suffering, treating all with the same fairness and respect that we ourselves wish to be treated.
- **Hope** that provides refugees with both spiritual and practical support in their difficult period of displacement.
- **Dignity** that believes in the intrinsic value of every person regardless of race, gender, religion, or politics.
- **Solidarity** that calls us to humble and respectful service to people of diverse cultures, nationalities, and religions.
- **Hospitality** that inspires us to accompany and welcome the most vulnerable, giving priority to situations of great need where a more universal good may be achieved and to needs that others have not addressed.
- **Justice** that commits us to work with refugees to challenge systems that deny them their human rights.
- **Participation** that encourages co-responsibility, discernment, and participative decision-making among our teams and with the forcibly displaced people we serve.

### **SCOPE**

JRS recognizes that its team members are men and women of high integrity whose actions reflect the core values that underlie the Code of Conduct. It is, however, important for all who work for JRS to understand clearly that the highest standard of conduct is expected of them in order to ensure the protection of and care for the people with whom JRS works. This code applies to all those associated with JRS, including paid staff, volunteers, board members, and consultants.

### **CODE OF CONDUCT**

This code of conduct provides a standard to assist JRS staff in carrying out the organization's mission regarding professional behavior; personal behavior; conflict of interest, coercion, corruption, and fraud.

#### **A. Professional Behavior**

As a team member of JRS, I commit myself to:

1. Undertake my duties as a JRS team member conscientiously and in keeping with the organization's values and its mission to accompany, serve and defend the rights of refugees and other forcibly displaced persons.
2. Uphold and promote the highest standards of ethical and professional conduct in carrying out my assigned duties in the workplace and in my life outside the official work environment. Furthermore, I will endeavor to represent and further the values and mission of JRS to the best of my ability.
3. Avoid any public statement which may unnecessarily reflect poorly on the name and reputation of JRS.
4. Maintain the highest degree of confidentiality in professional matters.
5. Receive clear instructions and approval from the International or Regional Director or a designated JRS official before taking part in any communications or media task associated with my work for JRS.



6. Never use JRS communication equipment or premises (e.g., phones, computers, e-mail, etc.) to transmit harassing, abusive, sexually explicit, racially, or ethically offensive, or defamatory material.
7. Display equal respect for all persons regardless of their race, gender, religion, color, national or ethnic origin, language, sexual orientation, age, socio-economic status, political conviction, or any other distinguishing features.
8. Help create and maintain a work environment which prevents sexual exploitation and abuse.
9. Facilitate open and honest communication within JRS.
10. Help create a healthy and positive working environment that allows and encourages all team members to work harmoniously even through challenging and stressful times.

### **B. Personal Behavior**

As a team member of JRS, I commit myself to:

1. Respect all local laws in the country where I am working and honor my private legal obligations.
2. Abide by the principles of Protection from Sexual Exploitation and Abuse in a Humanitarian Crisis, articulated by the Inter-Agency Standing Committee (IASC), which prohibit acts of sexual exploitation and abuse, and call for particular responsibility and care towards children and vulnerable adults. I understand that any proven case of exploitation and abuse, whether of a sexual or non-sexual nature, is grounds for immediate dismissal.
3. Follow the JRS Child Safeguarding Policy that prohibits sexual activity with children (persons under the age of 18) regardless of the age of majority or the age of consent locally. Mistaken belief in the age of a child does not serve as a defense for such behavior.
4. Recognize that sexual relationships between JRS workers and the people they serve, regardless of age, are strongly discouraged since they may be based on inherently unequal power dynamics.
5. Report when concerns or suspicions regarding sexual abuse or exploitation by a fellow JRS worker arise, whether in a JRS environment or elsewhere.
6. Adhere to JRS's strict prohibition against possessing or being under the influence of illegal substances either within or outside the workplace environment. The same prohibition applies for being under the influence of alcohol in the workplace or while representing JRS.
7. Never bring offensive weapons to the workplace or carry them while conducting JRS work or representing JRS which is grounds for dismissal, unless approval is clearly stated in one's job description (e.g., guards).
8. Respect JRS position on prohibition of any threat or act of violence, physical or verbal, either within or outside the workplace environment. Any substantiated case, will result in disciplinary sanction.
9. Behave in a way that does not jeopardize my security or the safety of my team.
10. Ensure that my conduct neither reflects negatively on JRS nor impacts or undermines my or others' ability to undertake the role for which I am employed.

### **C. Conflict of Interest, Coercion, Corruption, and Fraud**

Furthermore, I agree to:



1. Avoid activities outside the formal work setting (e.g., additional time-consuming employment or volunteer work) that would create a conflict of interest with my JRS duties and responsibilities or detract in any way from my JRS work assignments.
2. Not exchange money, employment, goods, or services for sex, including sexual favors or other forms of humiliating, degrading or exploitative behavior, which are prohibited by JRS. This includes exchange of assistance that is due to beneficiaries.
3. Not create business relationships between JRS and members of my own extended family or friends or any private businesses in which I have a financial interest that may lead to a conflict of interest. If I become aware of a potential conflict of interest, I must immediately discuss this matter with my supervisor.
4. Follow the JRS Fraud Policy Framework that prohibits neither to offer nor to accept from the people JRS serves, from partners or contractors any favours, bribes or other forms of personal enrichment under any circumstances. Small tokens of appreciation may be offered or received, but I must inform my supervisor of any such gifts.
5. Neither seek nor accept instructions from any other authority external to JRS that could jeopardize the scope or implementation of JRS's work.
6. Be accountable for the property and funds of JRS entrusted to me and to those whom I supervise in JRS. I understand that, if I am proven to have been involved in theft or fraud or if I have mishandled JRS assets, funds or records, I will be liable to pay compensatory damages and will be subject to dismissal.
7. Report behaviors of other staff when I have reasonable suspicion of breaches of the standards of the Code of Conduct.

**I have carefully read this JRS Code of Conduct**, and having discussed its contents with my supervisor, I have had time to become familiar with the relevant documents; JRS Principles of Protection from Sexual Exploitation and Abuse, JRS Child Safeguarding Policy and JRS Fraud Policy.

**I am committed to JRS's mission and mandate**, and I am aware that JRS expects me to uphold the standards of behavior described in this Code of Conduct.

**I accept that any breach of the Code of Conduct can and may result in the termination of my contract:**

**Name:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_



**Appendix 3: Sample Parent/Guardian Consent Form**

*Activity permission form for persons under 18 years*

**1. Name of programme/project** \_\_\_\_\_

Venue/activity \_\_\_\_\_

Date/time \_\_\_\_\_

Name of group leader \_\_\_\_\_

**2. Name of young person** \_\_\_\_\_

Address \_\_\_\_\_

Telephone Number \_\_\_\_\_

Date of birth \_\_\_\_\_

Give details of ANY medical condition of which the organizers ought to be aware, please include details of any medication which has to be taken or any dietary requirements. (This information will be treated with confidence).

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**3. The organization** only accepts liability or responsibility for an incident or accident caused by the negligence or breach of statutory duty of the organization, its servants or agents.

**4. I have read all the information provided** concerning the programme of the above activity. I hereby give permission for my son/daughter to participate in the above activity.

**Signed** \_\_\_\_\_ **Date** \_\_\_\_\_

(Parent/guardian)

**Address** \_\_\_\_\_

(if different from above)

Any additional telephone numbers during the period of the activity \_\_\_\_\_



**Appendix 4: Self-Declaration Form**

**Confidential**

The UN Convention on the Rights of the Child (1989) states that a child is under the age of 18 years of age. The convention states that a child has a right to be protected from physical and mental violence, injury, abuse, neglect or negligent treatment, maltreatment or exploitation including sexual abuse.

In accordance with this convention we ask that all persons working or volunteering with us abide by good practice and agree to keep children safe from harm when relating and working with children. In addition, we ask that all persons declare the following:

**Have you ever been investigated for or convicted of a criminal offence?**

YES  NO

If yes, please state below the nature and date(s) of the offence(s)

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**FULL NAME:** \_\_\_\_\_

Any surname previously known by: \_\_\_\_\_

**ADDRESS:** \_\_\_\_\_

---

**DATE OF BIRTH:** \_\_\_\_\_ **PLACE OF BIRTH:** \_\_\_\_\_

**DECLARATION**

I understand that, if it is found that I have withheld information or included any false or misleading information above, I will be removed from my post whether paid or voluntary, without notice. I understand that the information will be kept securely by organization/institution.

I hereby declare the information I have provided is accurate.

**Signed:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Witnessed by:** \_\_\_\_\_ **Date:** \_\_\_\_\_

***Disclaimer: Disclosure of a previous criminal investigation and/or conviction does not automatically exclude the candidate from selection for employment with JRS, depending on the nature of the conviction.***



**Appendix 5: Contact Details/Policy Summary Statement**

**Child Safeguarding Policy Statement**

JRS is committed to the absolute safeguarding and protection of children under our care. Any complaints of abuse pertaining to JRS staff or volunteers should be made to the local Child Safeguarding Officer, who will work in conjunction with the local Child Protection Authorities and the police to investigate any concerns. In cases of emergency, where a child appears to be at immediate and serious risk the civil authorities must be contacted directly.

**Contact Details**

**Child Safeguarding Officer**

Name: \_\_\_\_\_



\_\_\_\_\_

**Deputy Child Safeguarding Officer**

Name: \_\_\_\_\_



\_\_\_\_\_

**Child Protection Authorities**

Name/Role: \_\_\_\_\_



\_\_\_\_\_

**Local Police (Child Protection Unit)**

Name/Role: \_\_\_\_\_



\_\_\_\_\_

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
(Name of Director/HR Manager)

## **Appendix 6: JRS Ethical Images Policy**

### **Background**

The Jesuit Refugee Service (JRS) is committed to a profound solidarity with refugees, recognizing in each one of them an inherent dignity and value that must be protected and promoted. We must do our utmost to ensure that we treat people with dignity and respect in all our encounters, and this extends to all aspects of image-gathering and reproduction conducted by JRS staff, volunteers, and contractors.

While we are aware that the use of images (both photography and video footage) plays a vital role in communicating to the general public and to other constituencies the injustices visited upon refugees, and may be a powerful means of raising funds to support our work, we must also acknowledge that the use of photographic stills and video can cause harm if not held to a high ethical standard.

This policy is intended to guide JRS staff, volunteers, and contractors on best practice when gathering and using content.

### **Ethical guidelines**

**Dignity:** The personal dignity of the subject should be the primary consideration for all who work in and for JRS. Still photographs and videos must never be demeaning, or disrespectful of the dignity of the persons portrayed. The rights, safety, and wellbeing of the persons being portrayed are always to be protected. The gratuitous portrayal of extreme suffering is always to be avoided.

**Positioning of the subject:** We should try to avoid using images of vulnerable people that are shot from above; this visual angle can often reduce the dignity of that person in the eyes of the viewer. Ideally, images should be taken at the same level as, or looking up at, a subject, particularly when the portrayal shows the subject in a vulnerable or needy situation.

**No staging:** We should not intentionally contribute to the altering or influencing of events to portray refugees in a certain way. Subjects should only be posed for portraits.

**Cultural sensitivity:** We should be mindful that, while the gathering of certain visual material may be culturally acceptable in one place, the exhibition or publication of that same material in another place may not be culturally acceptable. We must show extreme care and sensitivity when using photographs that depict taboo practices or “stigmatized” populations.

**Nudity:** Subjects should always be adequately clothed. They should never be portrayed in poses that could be regarded as sexually suggestive, erotic, or obscene. Images which are not intended to be sexual can be ‘sexualized’ when viewed and/or shared by certain individuals, particularly online.

**Manipulation:** Editing should maintain the integrity of the photographic and video images’ content and context. No changes should be made that distort the context of the image, or that make a situation look worse than it actually is.

### **Guidelines for reporting on children**

JRS supports the United Nations Convention on the Rights of the Child, which makes the best interests of the child a primary consideration (Art. 3), states that every child has the right to privacy (Art. 16), and to protection from all forms of exploitation (Art. 36).

The best interests of each child are to be protected over any other consideration, including over advocacy for children's issues and the promotion of children's rights. The dignity and rights of every child are to be respected in every circumstance.

Do not ask children to tell a story, or to act out a scene, that is not part of their own history.

Pay attention to where and how the child is interviewed. Always ensure that the child is at no risk of being endangered, or adversely affected, by showing their home, host community, or general location. This includes being vigilant of street signs, advertising boards or any other background information that will indicate to a viewer where the child may live.

Do not publish a story or an image which might put a child, or that child's siblings or peers, at risk. This is the case even when identities are changed, obscured, or not used.

### **Guidelines for protecting privacy**

Photography and video-filming, and using photographic stills and video images, of vulnerable people require extreme care and sensitivity. To protect the identity of individuals who may be put at risk as a result of allowing themselves to be photographed or recorded on video, or agreeing to tell their story, it may be necessary to ensure that they cannot be identified, for example by omitting information such as their names, or where they live.

Always change the name and obscure the visual identity of a **child** who is identified as:

- a. a victim of sexual abuse or exploitation;
- b. a perpetrator of physical or sexual abuse;
- c. someone charged with, or convicted of, a crime;
- d. a child combatant, or former child combatant, and who is portrayed while holding a weapon or weapons.

### **Consent**

Before photographing or filming, the intended subjects should always be informed about the implications, purpose, and intended use of the photograph or the video footage. It must be made clear to the subjects that the images will be circulated widely and internationally. Information should be provided, as far as possible, in the subject's native language, or in a language in which the subject is demonstrably fluent.

It must be clear to people that there will be no negative outcomes for them if they refuse to have their photograph taken, or if they refuse to be filmed on video. As JRS beneficiaries, it is important that they do not feel that they are in any way obliged to agree to requests from JRS.

Consent is voluntary and can be revoked at any time.

The **written** consent of individuals to be photographed or videotaped can be recorded either in writing or on film and is required as described below.

Written consent is **not needed** for photographing or video-filming of:

- non-recognizable individuals in public (faces and all other identifying features are obscured)
- public figures in a public context or environment
- large crowds in public

Written consent is **always needed** for photographing or video-filming of:

- all recognizable individuals in all settings



- recognizable or non-recognizable individuals in any setting where personal and/or sensitive information is revealed in the photograph, video footage, or corresponding caption
- survivors of sexual abuse, exploitation, and gender-based violence
- individuals who may be put at risk of reprisal, violence, or rejection in their communities, as a result of having their identity exposed
- **all children:** when photographing or videotaping a child (any person under 18), consent must be obtained from the parent of the child, or the person with legal guardianship of the child

Permission must be obtained in circumstances that ensure that the individual is not coerced, or perceived to be coerced, in any way. The signed release form should be filed in the JRS local office, and an electronic scan should be sent to the International Office.

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**I agree to conduct my activities in accordance with JRS's Ethical Image policy and understand that breaching these standards may result in disciplinary action up to and including termination or other legal remedy available to the organization.**

Full Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## Appendix 7: JRS Child Safeguarding Self Audit Tool

Name of Office or Project: \_\_\_\_\_

Person(s) completing the Self-Audit: \_\_\_\_\_ Date: \_\_\_\_\_

### Part A: The Self-Audit Framework

This programme tool is designed to assist JRS personnel in self-assessing their child safeguarding initiatives; to help recognize strengths and weaknesses; and to help develop a Child Safeguarding Action Plan.

**Instructions:** Please tick the appropriate box according to the level at which the indicator is in place:

**A:** In place

**B:** Partially in Place. If so, please add comments

**C:** Not in place

For **Means of Verification** please refer to attached appendices as proof of the procedure being in place, e.g. photographs, extracts from documents, etc.

		A	B	C	Comments	Means of Verification
	<b>STANDARD 1 – POLICY and PROCEDURES</b>					
1.1	The organization has a written child safeguarding policy specific for the office/project (not just at Regional level).					
1.2	The policy and procedures are approved and endorsed by the relevant management body (e.g., senior management board, executive, and committee) and a signed copy of the policy is on file with the Child Safeguarding Officer (CSO).					
1.3	It is understood by all staff and representatives that the policy and procedures must be followed by everyone in the organization.					
1.4	There are clear reporting procedures in place that provide step-by-step guidance on what actions to take if there are concerns about a child's welfare or safety.					
1.5	The policy includes the name and contact details of the Child Safeguarding Officer (CSO) at country and project level and explicitly outlines his/her responsibilities.					
1.6	The organizational policy makes reference to guiding documents such as the United Nations Convention on the Rights of the Child, as well as any relevant and important national laws and policies.					
	<b>STANDARD 2 – PREVENTION of HARM</b>					
2.1	Staff and representatives are adequately assessed for their suitability to work with children, including where possible police and reference checks.					
2.2	Persons under contract/agreement have signed a declaration form stating whether or not they have had any previous court convictions or pending/previous investigations.					

2.3	There are written guidelines for behaviour or some way of describing to staff and other representatives what behavior is acceptable and unacceptable, especially when it comes to contact with children (i.e. Code of Conduct).					
2.4	The consequences of breaking the guidelines on behavior are made clear and are linked to organizational disciplinary procedures (i.e. Ramifications of Misconduct).					
2.5	Children are not put at risk through the inappropriate use of information technology, such as the internet, websites, digital cameras etc.					
2.6	Where there is direct responsibility for running/providing activities, including residential care, children are adequately supervised and protected at all times (including use of parental/guardian consent forms where necessary and appropriate).					
<b>STANDARD 3 – TRAINING and EDUCATION</b>						
3.1	All staff and representatives have an induction to child safeguarding when they join the organization, conducted by the CSO, which includes an introduction to the organization’s child safeguarding policy and procedures.					
3.2	All new CSOs receive adequate training/induction/handover on the child safeguarding policy within a specific period of time from the start of their appointment.					
3.3	All members of staff and other representatives are provided with training opportunities within the organization in order to learn more about how to recognize and respond to concerns about child abuse.					
3.4	Staff who have specific roles of responsibility towards children are given opportunities outside of the organization to attend and participate in conferences, trainings, forums and other external meetings/events concerning children’s rights and child safeguarding.					
3.5	Opportunities are made available to collaborate with and learn from other organizations working with children and to share our experiences with them in a safe and confidential manner.					
3.6	Work has been undertaken with smaller partner organizations to encourage best practice (e.g. assisting with policy/procedure development, training of partner staff etc.)					
<b>STANDARD 4 – COMMUNICATING the MESSAGE</b>						
4.1	The organization makes its policy and procedures visible through active sensitization/dissemination to all stakeholders (including funding organizations)					
4.2	Children are made aware of their rights, particularly to their equal rights to safety and protection from abuse.					
4.3	A Contact Details page (Policy Summary Statement) is visible on the wall for children and beneficiaries which guides them, in language that is locally appropriate, on how to report any concerns					

4.4	There are clear and transparent messages made available to staff, partners, beneficiaries and other organizations (including funding organizations) on how children will be kept safe (primarily through the use of visual child friendly images)				
4.5	The organization encourages and promotes non-violent and non-humiliating behavior towards children (e.g. no corporal punishment, no verbal abuse).				
4.6	The Child Safeguarding Policy (plus all materials aimed at protecting the rights of children) are translated into local languages wherever relevant				
<b>STANDARD 5 – ADVICE and SUPPORT</b>					
5.1	It is clear to all staff and representatives of the organization that they are free to contact the CSO(s) at any time in order to discuss or report a concern.				
5.2	The organization has conducted a mapping of quality local child protection resources, safe places, national authorities (e.g. police, national child protection services) and emergency medical, psychosocial and legal assistance.				
5.3	Children are provided with information and advice on where to go to for help in relation to abuse, harassment and bullying etc.				
5.4	The CSO has established a good network of relationships with the relevant child protection/welfare agencies as appropriate.				
5.5	Staff members with special responsibilities for keeping children safe have access to specialist advice and information (e.g. management, legal advice, UN agencies etc.)				
5.6	All child protection concerns are confidentially filed with the CSO and then stored in a secure location.				
<b>STANDARD 6 – IMPLEMENTATION and MONITORING</b>					
6.1	Human and financial resources are made available to ensure implementation of good child safeguarding practices				
6.2	Steps are taken to include the opinions of children and parents/carers in the review of policies and the monitoring of practices in order to improve their effectiveness.				
6.3	Staff and representatives are consulted as part of the monitoring and review process.				
6.4	A Risk Assessment exercise has been carried out to help inform the child safeguarding policy, procedures and protocols.				
6.5	There is a written Child Safeguarding/Protection Action Plan (typically for up to 3 years), sufficiently resourced by management, showing what steps will be taken to keep children safe (including timeframe and person(s) responsible)				
6.6	Policies and practices are reviewed and evaluated at regular intervals, ideally at least every three years (using the Self-Audit Tool)				

**Part B: The Self-Audit Web.**

When you have finished Part A, transfer your answers to the web (below) using colored pens or different kinds of shading. The web visually illustrates any gaps in your work in safeguarding children and highlights where further

action is needed. Use the self-audit tool (and visual web) to help prioritize action plans to improve the protective environment for children.

 In place       Partially done       Not in place

