

CHILD SAFEGUARDING POLICY & CODE OF CONDUCT for Friends of Amani Tanzania (FOAT)

Preamble:

Friends of Amani Tanzania (FOAT), is a UK based Charity, whose vision is to support efforts to bring relief to economically deprived families and individuals at the Amani Centre, Morogoro in Tanzania with a particular focus on children with mental disabilities and their carers.

1. FOAT and Safeguarding

FOAT resolves to uphold the well-being, dignity and safety of all its beneficiaries. FOAT will continue to champion the cause of child and human rights at Amani. FOAT will seek out the views and voices of children wherever possible and aim to ensure that in all programming and strategic development that the principle of the 'best interests of the child'¹, not the project is paramount.

In partnership with Amani, in developing new and existing projects, concepts such as ownership and community participation are recognised as essential elements of agency and necessary for sustainability². Likewise, in relation to safeguarding, the language of child rights is accepted in Tanzanian law, but often viewed as a dominant western imposition and therefore given little credence in practice. The rearing of children in a collective society is heavily shaped by traditional customs, social and cultural norms. Therefore, Amani Centre has its own locally developed Policy and Code of Conduct which is shaped to reflect the reality of its context.

This contextualization sometimes creates a gap between what is prescribed by stated legislation 'rhetoric' and what happens 'on the ground'. Nevertheless, the gap might be reframed as a space. FOAT's perspective is that we can position ourselves in this space and leverage change through deep listening, advocacy and non-judgmental discourse. Safeguarding practices at Amani be viewed as an ongoing process of incremental understanding and acceptance by all stakeholders.

¹ UNCRC 1989 article 3 <https://www.unicef.org.uk/rights-respecting-schools/wp-content/uploads/sites/4/2017/01/Summary-of-the-UNCRC.pdf>

² Kostelny K., Wessells M., Ondoro K. (2020) Enabling Full Participation: A Community-Led Approach to Child Protection. In: Balvin N., Christie D. (eds) Children and Peace. Peace Psychology Book Series. Springer, Cham

1.2 FOAT's posture is as follows:

- FOAT will adhere to its own Safeguarding policy as far as it applies to FOAT personnel and activities
- FOAT will also provide and support on the ground education and training through FOAT's own Designated Safeguarding Lead.
- FOAT will apply a safeguarding lens to all FOAT activities, promotional materials and fund- raising efforts.

1.3 This FOAT Safeguarding POLICY is undergirded by the following documents:

- The United Nations Convention on the Rights of the Child (UNCRC)³
- Tanzania has since ratified this instrument and customised it through the Law of the Child Act, 2009⁴.
- The African Charter on the Rights & Welfare of the Child (ACRWC)⁵
- World Health Organisation⁶

1.4. Terms:

FOAT personnel includes adult: trustees, volunteers, visitors engaging in any FOAT directed or sponsored activities

Amani or Amani Centre: for the purposes of this document refers to the centre at Chamwino, including the café, the craft shop, the hostel; and other Amani outposts such as Mvomero and Mikese. It also includes the CBR activities of Amani including physiotherapy services, day school and home visiting.

Child: this normally refers to any person under the age of 18 years old. For the purposes of this document it will be used to include any young people including those with learning disabilities who are *under the guardianship or care* of Amani.

A vulnerable person is anyone of any age who by reason of reduced physical or mental capacity or functioning, or due to inequalities of power or strength is more likely to be at risk of intentional or unintentional harm and more exposed to potential exploitation.

Beneficiaries this refers to the children, vulnerable young people, members of staff at Amani Centre or any of its activities and it includes members of the communities in which any Amani activity takes place.

³³ UNCRC 1989 <https://www.unicef.org.uk/rights-respecting-schools/wp-content/uploads/sites/4/2017/01/Summary-of-the-UNCRC.pdf>

⁴ http://www.mcdgc.go.tz/data/Law_of_the_Child_Act_2009.pdf

⁵ Organization of African Unity (OAU), *African Charter on the Rights and Welfare of the Child*, 11 July 1990, CAB/LEG/24.9/49 (1990), available at: <https://www.refworld.org/docid/3ae6b38c18.html> [accessed 30 June 2020]

⁶ <https://www.who.int/news-room/fact-sheets/detail/violence-against-children>

2. Definitions of harm and abuse:

2.1 Physical abuse:

Physical abuse is an act which results in non-accidental harm to a child. This may occur through excessive physical discipline such that it causes an injury. Or it may be prolonged physical discipline that over time leads to emotional harm. Examples of such abuse may include hitting, beating with objects, restraining, shaking, throwing, poisoning, burning, scalding, drowning and suffocating.

It also includes female genital mutilation or cutting and the removal of any part of the child's body for the purposes of traditional ritual sacrifice.

NB. Corporal punishment is permissible under Tanzanian law and is viewed culturally as a positive form of parental care and child rearing. It is prohibited by FOAT personnel.

However, physical punishment by Amani staff is discouraged other forms of positive discipline shall be promoted to parents and caregivers. This is framed in the form of educating and advocating, because children with learning disabilities cannot necessarily be held morally responsible and punished for actions that they do not understand to be wrong.

2.2 Sexual Abuse:

Child sexual abuse is usually defined as the sexual contact by an adult towards a child. This can be verbal (explicit language with the aim of sexual gratification), visual (the showing or taking of sexual images) or contact or physical sexual abuse. Physical sexual abuse exists on a continuum which ranges from unwanted touching to rape. Sexual abuse can also occur between minors when there is a significant difference in age, size or power.

At Amani Centre there is a wide range of children living in community. Young people with diminished cognitive capacity can sexually abuse other learning- disabled children without recognising the implications. Children are at risk through initiating harmful action themselves as well as being victims of it.

2.3 Grooming

Grooming is a subset of sexual abuse. It includes the intentional enticing of a child or vulnerable person into sexual contact through means of gift giving, attention or any other means of building trust with the aim of exploitation. Grooming is a particular risk where there is a high level of trust in the offending person. Grooming is a feature of overseas sexual offenders and FOAT is aware of the vulnerabilities of Amani to receive visitors who have a hidden agenda.

2.4 Emotional Abuse:

The persistent emotional ill treatment of a child that adversely affects his or her self-perception and development. It may involve conveying to the child that he or she is worthless, inadequate, or there only to meet the needs of another person; or imposing inappropriate expectations upon him/her acts include restricting movement, threatening, scaring, discriminating, scape-goating, corrupting, ridiculing, degrading, bullying, humiliating or other non-physical forms of hostile or rejecting treatment.

The diminished social status of disabled children or albino children renders these children at increased risk. Emotional abuse often occurs in conjunction with other forms of abuse.

2.5 Neglect

This is the omission on the part of the caregiver to provide for the development of the child in: health, education, emotional development, nutrition, shelter and safe living conditions, *in the context of resources reasonably available to the family or caretakers* and which causes, or has a high probability of causing, harm to the child's health or physical, mental, spiritual, moral or social development. This includes the failure to properly supervise and protect children from harm as much as is feasible. Neglect can particularly occur to disabled children who are left alone for long periods or denied limited food or provision in favour of other siblings.

2.6 Other forms of sexual violence against children:

Female Genital Mutilation: this is illegal in Tanzania and any evidence that a child is at risk of FGM should be reported to the Gender Desk at the nearest police station.

Child Trafficking: this can present as domestic trafficking where children (usually girls) are relocated willingly or unwillingly with or without their parents' permission for the purpose of sexual exploitation or domestic or agricultural labour. There are cultural complexities in addressing these situations especially where families have entered into agreements together that a girl may do domestic work for a relative in return for free board and education.

3. Risk factors

Abuse of children and vulnerable people occur when there is motivation by an offender, and easy opportunity and access to a victim. It is a painful fact that that the International charity and aid sector is a soft target for those who would try to gain access to vulnerable children. The following factors increase risk at Amani:

- Amani Centre is a charity and therefore dependent on the good will and engagement of benefactors: this creates a power imbalance.

- The beneficiaries of Amani are vulnerable, both as children and as learning- disabled with mobility and communication difficulties.
- There is a high turnover of visitors who arrive on impromptu visits.
- In Tanzania hospitality toward guests is a high value. The Swahili proverb '*wageni ni baraka*' guests are a blessing – reflects the default cultural posture of welcome over suspicion.
- In a high shame culture, it is almost impossible for a beneficiary to challenge a visitor by regarding their conduct or motivations.
- The socialisation of the Tanzanian child is that they obey and respect their elders.
- The Child Protection system in Tanzania is fragmented and under resourced.

3.2 The Code of Conduct is designed to lay out clear expectations for FOAT personnel. It is based on four key principles:

Reducing Isolation

By eliminating or reducing one-adult to one-child situations, the risk of the abuse for children will be dramatically lowered. FOAT personnel will set an example by personally avoiding one-adult to one-child situations with children. This means making sure that all interactions take place where we can *both* adult and child can be easily seen by others. This requires avoiding being alone with a child behind closed doors or in a vehicle. Wherever possible, private conversations should take place in plain sight of others.

Increasing accountability

Being accountable means agreeing to required background checks. It means willingly accepting the constraints of the Code of Conduct even when they are inconvenient. It includes an awareness of other people's behaviour as it relates to children. High accountability means inviting advice or feedback from others. It requires speaking up for children who are at risk or when boundaries are being crossed. For FOAT personnel it requires the humility to concede to Amani's Code of Conduct without needing to be reminded; and also the courage to respectfully speak up whenever children's rights and needs are being violated.

Redressing the Imbalance of Power

The International aid arena is inevitably inequitable. There are several inequalities in the relationship between FOAT personnel and beneficiaries. The most explicit is that FOAT personnel are not only privileged by economic and educational background but also as key benefactors and fundraisers for Amani. This places FOAT personnel in position of socio-economic power and is likely to lead to Amani leadership and staff giving FOAT a more prominent voice than their beneficiaries- staff, children, young people. This privilege can be

used for immense good, but it can also be exploited. FOAT will always endeavour to use its voice and privilege to affirm, educate, empower and never to demean, humiliate or shame others. FOAT will lead by example by always respectfully requesting to seek to hear the voices of the less prominent stakeholders.

Ethical and Safe Interaction

Africa is a young continent with almost half the population under 18 years old. Whether as Amani children, local village children or beneficiaries, any *mzungu* (foreigner) will be a source of interest. People are watching and our words, gestures and actions have an influence whether we like it or not.

FOAT will not engage in conversations which reinforce the stereotyping of gender roles or certain types of ethnic group. FOAT personnel will not single out a particular child or beneficiary for favouritism or discrimination based on their gender, appearance, age, ethnicity or tribal group.

It is natural for FOAT personnel to want to capture images of daily life and situations for personal memories or the FOAT website. Nevertheless, any images or footage of children or beneficiaries should be taken with their dignity and privacy in mind. Photographs should never be taken on children or adults naked or partially clothed. As far as possible, seek permission from a parent or caregiver before taking a photo or posting a picture online. Children and their communities shall be represented in a way that reinforces a positive and optimistic view of Africa.

It is unhelpful and unethical to set up false expectations of help or future support. All overt forms of favouritism to any particular child shall be discouraged. FOAT personnel shall not engage in one-one private digital communication with an individual child, either during the FOAT visiting period or afterwards. any social media communication will be on an open or public forum.

4.1 Human Resources: recruitment and screening

FOAT Personnel

All FOAT trustees who have contact with children (either as Amani children or beneficiaries or in the context of formal FOAT UK fundraising activities) shall undergo an enhanced DBS check every three years.

UK passport holder volunteers:

British short- term volunteers shall undergo an enhanced DBS background check before arrival at Amani. It is the responsibility of the Board to ensure that this is carried out. Costs are normally covered by the volunteer.

Other non-British volunteers:

Volunteers who are coming via FOAT shall undergo the appropriate level of background criminal screening from their passport before volunteering. This may require an International Child Protection Certificate or equivalent.

4.2 All FOAT personnel shall receive and read this Safeguarding Policy.

4.3 All FOAT personnel shall electronically sign the Code of Conduct compliance form and continue to sign every three years. Signed forms shall be stored with the Designated Safeguarding Lead.

4.4 Reporting of Complaints or concerns (whistleblowing)

Any breach of the Amani Centre Policy or Code of Conduct by any person shall be reported to the Director of Amani Centre, or if there is a conflict of interest to the RC Diocese of Morogoro.

Any breach of the FOAT Safeguarding policy shall be reported as soon as possible to the FOAT Designated Safeguarding Lead.

4.5 Inquiry

The DSL will convene a working group to review the incident, complaint and all information and complete a Safeguarding assessment with recommendations.

If it has been determined that a FOAT member of personnel has been found to have breached the Policy definitions of abuse, then a report will be made to relevant statutory authorities, including the UK Charity Commission as appropriate.

In each instance the person or people raising the concern will have their identity protected and will not be unfairly treated.

CODE OF CONDUCT

This Code outlines clear expectations for all FOAT personnel by following strategies for prevention of exploitation, abuse and harm.

Reducing Isolation

- I understand that by eliminating or reducing one-adult to one-child situations, the risk of sexual abuse for children will be dramatically lowered. I commit to set an example by personally avoiding one-adult to one-child situations with children. This means making

sure that all interactions take place where we can both be easily seen by others.

- I will not invite any child alone into my room, residence or home even with the knowledge and consent of their parent or guardian. Any private hospitality towards beneficiaries shall be carried out with another responsible adult present.
- If I am providing supervision or care to children or vulnerable people, I will aim to be as visible as possible. For instance, I will plan to be in areas where other adults are present, and I will keep doors and windows open where possible.

Ask the question: do other adults know where I am and what I am doing?

Increased accountability

- I understand and acknowledge that I will not wilfully allow any child to suffer harm as defined in the FOAT Safeguarding Policy.
- I am aware that a designated adult should be supervising children at all times.
- I will not take a child away from the rest of the group, or enter into ongoing communication with any child without the knowledge and consent of the Amani leadership or their parents.

Ask yourself the question: can I accept the requirements of this policy? do I invite feedback on my behaviour?

Power Imbalance

- I understand that corporal punishment of a child is forbidden even if it is socially sanctioned.
- I will not use language or behaviour towards children that is inappropriate, harassing, abusive, sexually provocative, demeaning, or culturally inappropriate.
- I will not persuade a child or group of children that they have a 'special' relationship with me; for example, spending inappropriate special time with a child, inappropriately giving gifts, inappropriately showing special favors to one child but not to other children, inappropriately allowing the child to overstep rules, and/or asking the child to keep the relationship to themselves.

Ask the question: Does this child, does this person feel safe with me? What could I do to increase a sense of safety?

Ethical and Safe Interaction

- I will respect the cultural background of children, and I will not discriminate or disadvantage a child because of their racial, ethnic or tribal background.
- I will avoid situations that may give rise to misunderstanding or the perception or that I have engaged in misconduct with a child.
- I will avoid private or personal communication with children on social media, or exposing children to adult content on social media.
- I will act with caution when posting photos of children online, taking into consideration clothing, parental consent and who is able to access the photo.

Ask the question: have I acted with integrity? Would I be happy if this was happening to a child I know and love?

Compliance with FOAT Safeguarding Policy

- I agree to comply with this Code of Conduct.
- I understand and acknowledge that I will not engage in Misconduct (involving a child) as defined in the FOAT Safeguarding Policy.
- I understand that if any allegation of misconduct/action causing harm is made against me or a family member, we may be required to cease contact with nominated people until an appropriate assessment is made.
- I understand that FOAT may report any child safety or criminal concerns to law enforcement and child protection authorities locally and/or in my country of citizenship.
- I understand that I have a responsibility to report to the Child Safeguarding Lead or Deputy any and all suspicions of child safety concerns.
- I agree to cooperate fully with any Child Safety Inquiry conducted at the instigation of FOAT.

- I agree to comply with any FOAT Child Safety Plan.

Confidentiality

- I will not disclose personal information of a child or any beneficiary given in confidence unless it is in the course of acting out my duties, such as reporting concerns of safety and/or misconduct.

Responsibility regarding visitors

- I understand that as a FOAT representative, I am responsible for any visitors I invite into Amani and am aware that if they engage in any voluntary work or enter the premises they will need to sign this Code of Conduct.

Name:

Physical address:

Date: