

Child Protection Guidelines

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1. PURPOSE	3
2. APPLICABILITY	3
3. DEFINITIONS	3
4. GUIDELINES	5
4.1. Scope	6
4.2. Commitment to Child Protection	6
4.3. Relevant laws	6
4.4. Guiding principles	7
4.5. Standards for Child Protection	7
4.5.1. Training for Representatives	8
4.5.2. Use of Children’s images	8
4.5.3. Recruitment practices	8
4.5.4. Use of technology	9
4.6. Business Partner Engagement	10
4.7. Employment Contract Provisions	10
4.8. Risk evaluation	10
4.9. Incident management	11
4.10. Periodic review	11
4.11. Duty to comply	12
4.12. Reporting	12

1. PURPOSE

These Guidelines elaborate on the Institute Code of Conduct to provide further information and interpretation for the implementation of the Policy with regards to protection of Children from exploitation and abuse of all kinds in the delivery of development projects by the Institute.

2. APPLICABILITY

These Guidelines are applicable globally to all Institute operations and all Representatives of the Institute. They also apply to any project where the Institute has responsibility for the functions of the Responsible Official. Any deviation from these Guidelines requires the approval of the Responsible Official.

The Responsible Official, with input from the business as appropriate, is responsible for preparing and implementing these Guidelines.

3. DEFINITIONS

“Abuse” means including, but not limited to, physical, sexual, emotional, neglect, bullying, or child labour.

“Business Partner” means any contractor, subcontractor, grantee, sub-grantee, awardee, sub-awardee, law firm, affiliate, vendor, supplier, landlord or organisation providing goods or services to the Institute.

“Business Process” means a sequence of linked tasks and related decisions that result in or contribute to the delivery of a product or service.

“Child” or “Children” means a person or persons who is whichever is the older of (i) below the age of 18, regardless of the age of majority/consent in the relevant country or (ii) the age of majority/consent in the relevant country where this is anyone aged 18 or above 18.

“Child Protection” means the responsibilities and activities undertaken to prevent children being harmed through abuse.

“Child Abuse Materials” means material that depicts (expressly or implicitly) a child under 18 years of age as a victim of torture, cruelty or physical abuse.

“Child Exploitation and Abuse” means one or more of the following:

- Committing or coercing another person to commit an act or acts of abuse against a Child;
- Possessing, controlling, producing, distributing, obtaining or transmitting child exploitation material; or
- Committing or coercing another person to commit an act or acts of grooming or online grooming.

“Electronic Resources” are all items that are the responsibility of the Institute IT Services, including computer equipment, network infrastructure, software, operating systems, storage media, network-based services (e.g., e-mail, Internet access), file and print services, video, telephone, office equipment (e.g., furniture), and computing accessories (e.g., DVD drives, mice, keyboards).

“Emotional Abuse” means subjecting or exposing another person to behaviour that may result in physical or psychological trauma, including anxiety, chronic depression, or post-traumatic stress disorder.

“Employee” means any person who has a part-time, full-time, intermittent, continuous or fixed-term employment relationship with the Institute.

“Grooming” generally refers to behaviour that makes it easier for an offender to procure a child for sexual activity. For example, an offender might build a relationship of trust with the Child, and then seek to sexualise that relationship.

“Guidelines” means the written elaborations on Institute policy that provide further information and interpretation for the implementation of policy.

“Institute” refers to INSTITUTO DE TECNOLOGIA DE SOFTWARE E SERVIÇOS ITS and all of its subsidiaries.

“Neglect” means the persistent failure or deliberate denial to provide needed, age-appropriate care where the caregiver is in a position to be able to provide such care.

“Physical Abuse” means where a person deliberately injures or threatens to injure, including slapping, punching, shaking, kicking, burning, or grabbing.

“Pornography” means printed or visual material of men, women, or children, containing the explicit description or display of sexual organs or activity, intended to stimulate sexual excitement.

“Representative” means an Employee or any person who has an independent individual contractual relationship with the Institute, whether as a contractor, consultant or agent of the Institute. This includes non-executive directors of the board.

“Sex Tourism” means the sexual exploitation individuals, including children, by people who travel, usually from a developed country to a less developed country, to engage in sexual acts.

“Sexual Abuse” means where an adult, adolescent, or another child where there is a significant age difference uses a child for sexual stimulation.

“Working with Children” means working in a position that involves regular contact with Children, either under the position description or due to the nature of the work environment.

4. GUIDELINES

4.1. Scope

These Guidelines expand upon the Institute Code of Conduct which outlines ethical standards and acceptable behaviour that is applicable to all Institute operations and all Representatives of the Institute. Breaching the Institute Code of Conduct is considered a serious offence and carries with its disciplinary action, including possible termination. Further, if criminal activity is suspected, the Institute will report to the relevant authorities as applicable.

These Guidelines are used to develop operational procedures and monitoring systems specific to each project to evaluate and manage any risks to Children.

4.2. Commitment to Child Protection

The Institute is committed to the safety and protection of all Children that we encounter in our work and believes that all Children have the right to be free from violence, abuse, and exploitation of any kind. Further, the Institute embraces and respects the cultural and social diversity of the countries in which we work and places great importance on operating with honesty and integrity. As such the Institute is committed to the protection of Children and these Guidelines build upon the Institute's core value of respect for the individual in all aspects of our work.

4.3. Relevant laws

These Guidelines respectively follow the UN Convention on the Rights of the Child; DFAT's Child Protection Policy 2013 and updated and reprinted in 2014; USAID's Policy/Guidance on the Implementation of USAID Child Safeguarding Standards updated in 2015; DFID's Safeguarding Children Rules; and national laws including local child protection authorities (CPA) pertaining to the protection of Children in the countries where the Institute works.

4.4. Guiding principles

- Zero tolerance of Child exploitation and abuse

Any form of Child Abuse (including accessing or possessing Child Pornography) is unacceptable and may result in disciplinary action including termination or referral to local law enforcement authorities, as appropriate.

- Recognition of the best interests of the Child

The Institute supports the right of all Children to be safe, especially those with disabilities or who are living in areas impacted by instability. All decisions affecting Children participating in Institute projects will be made in accordance with these Guidelines and in the best interests of the Child.

- Sharing responsibility for Child Protection

Business Partners working with the Institute are also responsible for supporting the Institute's Child Protection efforts.

- Risk management approach

The Institute recognises that there are potential risks to Children in some areas of our work and will periodically conduct risk assessments in order to manage risks associated with Child protection across our projects.

- Procedural fairness

The Institute is committed to providing due process and balance when responding to concerns or allegations related to Child exploitation and abuse.

4.5. Standards for Child Protection

4.5.1. Training for Representatives

If appropriate, all Institute Representatives will receive training on Child Protection issues, policy enforcement, and project Child Protection operational procedures on a regular basis.

4.5.2. Use of Children's images

When photographing or filming Children for work related purposes the Institute will:

- Assess and endeavour to comply with local traditions or restrictions for reproducing personal images before photographing or filming a Child;
- Explain how the photograph or film will be used and obtain informed consent from the child's parent or legal guardian before photographing or filming a Child. As part of this the photographer/videographer must explain how the photograph or film will be used;
- Ensure photographs and films however recorded and stored present Children in a dignified and respectful manner and not in a vulnerable or submissive manner;
- Ensure that Children are adequately clothed and not in poses that could be seen as sexually suggestive;
- Ensure images are honest representations of the context and the facts; and
- Ensure that physical and electronic labels of photographs and films do not reveal identifying information about a Child.

4.5.3. Recruitment practices

The Institute has robust recruitment practices that minimise the risk of engaging Representatives who may pose a risk to Children. All interviewees are required to provide proof of identity such as a passport or current driving license. All interviewees are provided a copy of the Institute Code of Conduct and its contents and principles are explained, including the section on child protection. All

successful candidates are required to read and sign the Institute Code of Conduct.

For candidates applying for positions that involve Working with Children, child safe recruitment processes will be implemented.

4.5.3.1 Child Safe Recruitment Process

- Job advertisements contain reference to the Institute's commitment to protect Children.
- Positions advertised are assessed for the level of contact with Children.
- Job descriptions include responsibilities relating to the child protection guidelines in line with the job assessment.
- For roles Working with Children, interviews will include behavioural based questions and verbal referee checks will be conducted.
- For all roles involving work on projects that include Children, a thorough background check will be conducted including a detailed history of employment and education to confirm that they possess relevant qualifications and present no increased risks. Police checks will be carried out as far as possible, covering a five-year history, and obtained from any country in which the candidate resided for more than 12 months over that period. Where police checks are not readily available, candidates will be required to sign a Statutory Declaration.
- Information to selected candidates includes Child Protection Guidelines, Institute Code of Conduct and other related policies.

At any point in the recruitment process, if it is found that a candidate would pose a risk to Children, recruitment will not proceed.

4.5.4. Use of technology

The Institute recognizes that the internet, mobile phones, business computers and other forms of information technology can be used as an avenue for Child Abuse. Any indication of inappropriate activity against a Child either in person,

online or via electronic media must be reported immediately as outlined by these Child Protection Guidelines and Institute Code of Conduct.

Institute Representatives must use Electronic Resources and social media appropriately, and never exploit or harass Children or access Child Exploitation Material through any medium. Further, Institute representatives must ensure the secure use, storage, transfer and disposal of all data relating to Children (including, personal data, images etc.). Any files relating to Child Abuse / Exploitation allegations or investigations must be kept in a secure place, and only designated persons will have access to the files. Electronic data must be password protected, and hard copies stored in a locked filing cabinet.

4.6. Business Partner Engagement

All Business Partners that work with Children are expected to have a Child protection program in place. The Institute will request Business Partners to provide the organisation's Child protection policy prior to engagement.

4.7. Employment Contract Provisions

Where the Institute's risk management structure indicates that a Representative poses an unacceptable risk to Children, the Institute will investigate and reserves the right to proceed with disciplinary action, including termination, and referral to local law enforcement authorities, as appropriate.

4.8. Risk evaluation

Representatives are obliged to evaluate risks on the projects we manage. Risks relating to Child Protection are reviewed and managed as part of overall risk management as part of the project lifecycle.

Where projects identify risk monitoring and control systems will be put in place.

Risks to Children will be reviewed and alerts and recommendations will be provided as appropriate to both Representatives and Business Partners.

Factors which present a high risk to Child safety and protection include:

- Children who are very young; have been abandoned, orphaned, or otherwise without a carer; have a disability; have been displaced; or have experienced conflict or have been abused.
- Representatives who have not been screened carefully, including police checks or are not supervised adequately.
- Locations which are: isolated, secluded or otherwise difficult to access; experiencing political unrest or threats to security; overcrowded; or home-based meaning those that are in community households.
- Activities which involve: one to one interaction between Children and adults including physical contact; unsupervised visitors; or Representatives working alone.

4.9. Incident management

Incident management process is outlined in the Institute's Procedures.

When a report of misconduct involving a Child is made, appropriate project Representative assesses risks and takes appropriate action including identifying:

- Child(ren) who may be at risk;
- Possible risk of harm to Child(ren);
- The Representative who is the subject of the allegation; and
- The organisation of the investigation.

As appropriate, project Representative also:

- Notifies relevant Child Protection authority and/or police;
- Plans Investigation, gathers information, makes a finding and takes action.

4.10. Periodic review

These Guidelines will be reviewed every five years, or more frequently if required.

4.11. Duty to comply

It is the responsibility of each Representative of the Institute to comply fully with these Guidelines. Failure to comply may be subject to disciplinary action including contract termination, contract non-renewal or other appropriate action.

4.12. Reporting

All Representative are obliged to report any incidents or behaviour they may witness which involve or they believe involves Child abuse, exploitation, or other mistreatment of Children including those that give rise to concerns over the welfare or safety of the Children involved. This includes observing another Representative accessing Child Pornography. All reports will be made as soon as reasonably practicable and the matter will be dealt with pursuant to the Institute Code of Conduct.

The Institute will take all such reports seriously and will follow applicable Institute policies as well as Project-specific operational procedures. All parties will be treated fairly and malicious or deliberately false allegations will be subject to disciplinary action, including termination.

Based on the allegation, where appropriate, the reports may be forwarded to relevant local law enforcement or the local Child Protection authority as available.

Before reporting to local authorities, the Institute will take into account the following:

- The treatment the Child may receive from local authorities e.g. will the Child be victimised?
- Who and how will long term support be provided to the Child?
- Will the Child be ostracised by their community or family?
- How the media will be managed where cases become public?

None of the above justify non-disclosure, but these concerns must be managed appropriately.



Representatives are required to report violations of these Guidelines to their manager or through the Institute's Whistle-blower mechanism using the compliance telephone hotline +55 11 93226-1876 or the compliance email hotline at boaspraticas@its.org.br.