

## CHILD PROTECTION POLICY TRANSPARENCY INTERNATIONAL E. V. (SECRETARIAT)

### 1. Review & Change History

Version	Date Effective	Created by	Approved by MG/MD	Reviewed by WoCo	Consulted	Change history
1	20.10.2012	HR	26.09.2012	31.07.2012	S Cutzach, C. Kelso, AUSAID	Initial Version
2	04.04.2014	HR	04.04.2014	21.03.2014		Periodic Review
3	10.12.2020	HR	09.12.2020	07.12.2020	Governance & Legal Team, Integrity Officer	Periodic Review

### 2. Purpose of the Child Protection Policy

Transparency International (TI-S) supports the rights of children and is committed to their safety and well-being.

This policy is intended to provide guidance to everyone in its scope on the definitions of child abuse and on the steps to take if encountered.

Whilst TI supports its employees' right to a private life outside of their working responsibilities, it is also important to recognise that there are ways in which a staff member's conduct outside of work can severely impact the integrity and reputation of the organisation. For this reason, the requirements set out in the policy apply at all times.

All concerns and allegations of child abuse or possession or access to any material that is abusive towards children will be taken seriously by the management at TI-S and responded to immediately and appropriately - this could also involve communication to donors (in line with Data Protection laws) and referrals to the appropriate children's services, competent authorities or law enforcement agencies in line with German legislation.

### 3. Scope of the Child Protection Policy

This policy applies to anyone working for and under any form of contract or agreement with TI-S, including prospective, current and former employees, interns, contractors, volunteers, consultants. The policy is applicable regardless of the location of the aforementioned persons.

### 4. Definitions

#### 4.1 Child

For the purpose of this policy, the definition of a child is "every human being below the age of 18" as recognized by the United Nations Convention on the Rights of a Child.

#### 4.2 Child abuse

Child abuse or maltreatment constitutes all forms of physical and/or emotional ill-treatment, sexual abuse, neglect or 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 of responsibility, trust or power.<sup>1</sup> Please refer to Annex A for detailed definitions on types of abuse.

## 5. Principles

All children regardless of age, disability, gender, racial or ethnic origin, religious belief and sexual identity have equal rights to protection and freedom from abuse and exploitation as set out in Article 19 of the UN Convention on the Rights of the Child.

TI-S does not tolerate or accept any form of child abuse.

TI-S expects all staff to comply with all relevant legislation, including labour laws in relation to child labour and to immediately report concerns or allegations of child abuse in accordance with appropriate procedures, namely the TI-S Integrity Violation Reporting Policy.

## 6. Standards of behaviour

Everyone in the scope of this policy must not:

- Exploit children
- Abuse children, physically, emotionally or sexually or by negligent treatment.
- use language or behaviour towards children that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate.
- Create, possess or access any material that is abusive towards or exploitative of children
- Engage children in any form of sexual activity or acts, including paying for sexual services or acts
- Access child pornography through any medium
- Physically assault or harm children<sup>2</sup>
- Hire children for domestic or other labour which is inappropriate given their age or developmental stage, or which interferes with (or risks interfering with) their time available for education and recreational activities, or which places them at significant risk of injury
- Invite unaccompanied children into their home, unless they are at immediate risk of injury or in physical danger
- Sleep close to unsupervised children unless absolutely necessary, in which case they must obtain the parents or legal guardians permission, and ensure that another adult is present if possible.

Everyone in the scope of this policy should wherever possible, ensure that another adult is present when working in the proximity of children.

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<sup>1</sup> As per definition of the *Report of the Consultation on Child Abuse Prevention, Geneva, 29-31 March 1999, World Health Organization*). Please refer to Annex A for detailed definitions on types of abuse.

<sup>2</sup> This does not apply to acts of reasonable chastisement via a parent or legal guardian, or otherwise in a domestic or familial context, in accordance with relevant legal guidelines.

## 7. Practice

### 7.1 Child Safe Recruitment Practices

TI-S will assess which positions would likely require the incumbent to have contact with, or work directly, with children. When this is the case, job advertisements will include this information.

In the event that a position may require contact with children, TI-S will institute appropriate screening measures, in line with respective laws, which could include:

- Specific child protection statements of responsibility in job advertisements
- Application questions requesting candidates to disclose their experience working with children
- Child safety specific interview questions
- Child safety specific reference checks in line with the German Civil Code and European and German jurisprudence
- Criminal record checks in line with the Act on the Central Criminal Register and the Educative Measures Register

Positions are assessed in terms of their level of potential interaction with children whenever a vacancy arises and context-specific needs for the position in question are determined by the hiring manager together with HR.

### 7.2 Prevention

TI-S aims to ensure, through awareness and good practice that all to which this policy applies minimise the risks to children from abuse. This includes:

- Following a risk-based approach by ensuring that all programmes assess the potential risks to children and where risks are identified, taking proactive steps to address them. This approach should form part of the programme design process and be regularly reviewed as part of programme review processes.
- Providing training and awareness raising for all persons covered under the scope of this policy to make them aware of their responsibilities to protect children from exploitation and abuse and to report concerns or allegations under the specified reporting procedures.
- As part of employee induction, the policy will be explained within the framework of the HR Manual. Each employee must confirm receipt and compliance with the policy with their signature (Please refer to Annex B for the acknowledgement form).
- Ensuring that the portrayal of children in photographs, images or video respects children's dignity and does not compromise their safety or wellbeing. The collection and use of images must be based on informed consent, respect for local customs and traditions and an honest representation of the context.
- Use of images or video requires the signature of a subject release form which includes a section where consent by a parent or guardian is required for children under the age of 18 (*Please refer to Annex C for the photo subject release form as example*).
- A preference for goods or clothing manufactured under conditions which are in line with child protection safeguards, when purchasing promotional or other items in connection with work. See, for example, the World Fair Trade Organisation sourcing guide: <https://wfto.com/source-or-buy-fair-trade>

### **7.3 Reporting and Investigation**

Any suspected or alleged incidents of child exploitation or abuse or non-compliance with the standards of behaviour defined in this policy must be reported through one of the designated reporting channels laid out in the TI-S Integrity Violation Reporting Policy. Such incidents must also be reported to the relevant authorities (usually the police) via the Managing Director representing the organisation. This is a legal obligation.

Even when reporting to external authorities, TI-S still has a responsibility to take appropriate action internally. An external investigation does not exclude the necessity for an internal investigation (in line with the TI-S Investigation Protocol) by default. It is therefore vital that the incident is reported both internally and externally.

All suspected cases should be raised and handled in line with the reporting and whistleblowing procedure.

TI-S commits to taking appropriate and necessary action on every reported suspicion of exploitation and abuse of children based. All investigations will be based on the principles of confidentiality and procedural fairness and a commitment to protect the rights of the child.

Substantiated violations will be subject to disciplinary action up to and including termination of contract.

TI-S will ensure that action is taken to support and protect children where concerns arise regarding possible abuse in connection with the organisation's work.

## **8. Confidentiality & Data Protection**

Any reporting in relation to this policy will be handled with extreme and strict confidentiality. Any personal data may only be processed, stored, reported and transferred in compliance with the EU General Data Protection Act and the German Federal Data Protection Act.

## **9. Related policies and procedures**

The TI-S Child Protection Policy is linked to and must be read in conjunction with:

- TI-S Code of conduct
- TI-S Integrity Violation Reporting Policy
- TI-S Prevention of Sexual Exploitation, Abuse and Harassment (PSEAH) Policy
- Anti-Harassment Policy for TI-S organized events

## **10. Review Process**

This policy will be reviewed initially after one year and afterwards every five years by HR and the Integrity Officer in consultation with the Works Council, unless an earlier need is identified by the Managing Director, HR and/or the Works Council.

## Appendix – A

### Types of abuse

*(as defined by the Report of the Consultation on Child Abuse Prevention, Geneva, 29-31 March 1999, WHO)*

#### **Physical**

Physical abuse of a child is that which results in actual or potential physical harm from an interaction or lack of an interaction, which is reasonably within the control of a parent or person in a position of responsibility, power or trust. There may be single or repeated incidents.

#### **Emotional**

Emotional abuse includes the failure to provide a developmentally appropriate, supportive environment, including the availability of a primary attachment figure, so that the child can develop a stable and full range of emotional and social competencies commensurate with her or his personal potentials and in the context of the society in which the child dwells. There may also be acts towards the child that cause or have a high probability of causing harm to the child's health or physical, mental, spiritual, moral or social development. These acts must be reasonably within the control of the parent or person in a relationship of responsibility, trust or power. Acts include restriction of movement, patterns of belittling, and denigrating, scapegoating, threatening, scaring, discriminating, ridiculing or other non-physical forms of hostile or rejecting treatment.

#### **Neglect and negligent treatment**

Neglect is the failure to provide for the development of the child in all spheres: health, education, emotional development, nutrition, shelter, and safe living conditions, in the context of resources reasonably available to the family or caretakers and 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.

#### **Sexual**

Child sexual abuse is the involvement of a child in sexual activity that he or she does not fully comprehend, is unable to give informed consent to, or for which the child is not developmentally prepared and cannot give consent, or that violate the laws or social taboos of society. Child sexual abuse is evidenced by this activity between a child and an adult or another child who by age or development is in a relationship of responsibility, trust or power, the activity being intended to gratify or satisfy the needs of the other person. This may include but is not limited to:

- The inducement or coercion of a child to engage in any unlawful sexual activity.
- The exploitative use of child in prostitution or other unlawful sexual practices.
- The exploitative use of children in pornographic performances and materials.

#### **Exploitation**

Commercial or other exploitation of a child refers to use of the child in work or other activities for the benefit of others. This includes, but is not limited to, child labour and child prostitution. These activities are to the detriment of the child's physical or mental health, education, or spiritual, moral or social-emotional development.

## Appendix – B

# TI-S Human Resources Manual Acknowledgement

Name of employee or intern: \_\_\_\_\_

Position: \_\_\_\_\_

Team: \_\_\_\_\_

I have received, read and I fully understand all policies, guidelines and procedures included in the **TI-S Human Resources Manual**.

In particular:

I have read the **TI-S Code of Conduct** and I fully understand its content. I confirm that I am in complete compliance with all provisions of the TI-S Code of Conduct and that I will continue to observe the spirit of the Code in all my activities on behalf of TI.

I have read the **TI-S Drug-Free Workplace Policy**, the **TI-S Child Protection Policy** and the **TI-S Prevention of Sexual Exploitation, Abuse and Harassment (PSEAH) Policy** and fully understand their content. I will comply with the guidelines set out in these policies and understand **that failure to do so might result in disciplinary or legal action**.

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

Please sign and return to HR Team. This document will be filed in the employee's or intern's personal file.

**Appendix – C**

**Subject Release Form**

Transparency International  
International Secretariat  
Alt-Moabit 96, 10559 Berlin, Germany  
Tel: + 49 30 3438 2012  
Email: [press@transparency.org](mailto:press@transparency.org)

**Name, Surname** \_\_\_\_\_

**Contact details** \_\_\_\_\_

**Age (if under 18)** \_\_\_\_\_  
Parent / guardian to sign below OR  
Permission given from parent / guardian confirmed by TI-S staff

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

**Photographer** \_\_\_\_\_

**Country** \_\_\_\_\_

**Use of photograph(s) by Transparency International**

I grant Transparency International the right to use the photographs (and any other reproductions or adaptations of the photographs) alone or with any wording, in any material including the internet, for an unlimited time.

**Use of photograph(s) by other organisations**

I grant Transparency International the right to supply the photographs to third parties to promote and raise awareness of the fight against corruption

YES       NO

**Agreement of subject**

I understand that I have no copyright or ownership of the photographs.

I release the photographer and Transparency International from all claims and liability relating to the photographs.

I agree that Transparency International can store my personal data in relation to the photographs (such as name, surname), but they will not provide my personal data to any other party, or use my personal data for any other purposes.

**Please tick here if you want your identity disguised in the photographs**     

**Signature of subject or parent / guardian** \_\_\_\_\_

**Signature of TI-S staff** \_\_\_\_\_

**(Please print name)** \_\_\_\_\_

**Date / Place** \_\_\_\_\_