

MOTO Child Safeguarding Policy.

1. Policy Introduction and Context.

1.1 Title Page.

Maisha Outreach Therapy Organization (MOTO) Child Safeguarding Policy. Created April 2022 and expected to be reviewed after 3 years.

1.2 Introduction.

This policy applies to all staff, including senior managers and the board of trustees, paid staff, volunteers, sessional workers, partner organization staff and volunteers, agency staff, students, or anyone working on behalf of Maisha Outreach Therapy Organisation (MOTO).

The purpose of this policy is:

- To protect children, young people, and vulnerable adults who receive MOTO's services. This includes the children of adults who use our services.
- To provide staff and volunteers with overarching principles that guide our approach to safeguarding and child protection.

MOTO believes that no child, young person, or vulnerable adult should experience abuse of any kind. We have the responsibility to promote the safety and well-being of all children, young people, and vulnerable adults, and to keep them safe. We are committed to practicing in a way that protects them.

1.3 Principles, values, and beliefs

Maisha Outreach therapy organization has its own principles, values, and belief around children and child protection. We seek to keep children, young people, and vulnerable adults safe by:

- Sharing responsibility for their safeguarding.
- Not accepting or tolerating any child abuse in our organization.
- A commitment to upholding child rights, including the right to be protected.
- A commitment to seeking to do no harm to children through our program operations.
- Supporting Children's participation and their feedback ('nothing about us without us').
- Valuing them, listening to them, and respecting them.
- Seeking consent from parents/guardians/carers when appropriate.
- Adopting protective and safeguarding procedures.
- Providing effective management for staff and volunteers through supervision, support, training, and quality assurances measures.
- Ensuring all staff and volunteers undergo a necessary check.
- Abiding by confidentiality procedures.

- Raise any concerns about the safety and welfare of any child, young person, or vulnerable adult to the appropriate staff and authorities.
- Manage any allegations against staff or volunteers appropriately, and with the welfare of the child, or vulnerable adult at the center of the investigation.
- Ensuring that MOTO provides a safe environment for children, young people, and vulnerable adults by applying health and safety measures.

1.4 Policy Scope.

This policy applies to all staff, including senior managers and the board of trustees, paid staff, volunteers, sessional workers, partner organization staff and volunteers, agency staff, students, or anyone working on behalf of Maisha Outreach Therapy Organisation (MOTO).

1.5 Definitions

The Children Act 1989 definition of a *child* as anyone who has not yet reached their 18th birthday, even if they are living independently, are a member of the armed forces or is in hospital.

Adult at Risk:

- An adult who has needs for care and support (whether or not the authority is meeting any of those needs),
- is experiencing, or is at risk of, abuse or neglect, and
- as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it.

Child and Adult Abuse: Children and adults may be vulnerable to neglect and abuse or exploitation from within their family and from individuals they come across in their daily lives. There are 4 main categories of abuse, which are: sexual, physical, emotional abuse, and neglect. It is important to be aware of more specific types of abuse that fall within these categories, they are:

- Bullying and cyberbullying
- Child sexual exploitation
- Child Criminal exploitation
- Child trafficking
- Domestic abuse
- Female genital mutilation
- Grooming
- Historical abuse
- Online abuse

Physical abuse: the use of physical force against a child (including hitting, shaking, punching, kicking, burning, and poisoning) that causes harm to a child.

Sexual abuse: use of children for sexual benefit by an adult or older child.

Emotional abuse: verbal or other acts towards children can damage a child's self-esteem or confidence.

Neglect: the failure to provide a child (when they could do so) with the conditions that are culturally accepted as being essential for their development and wellbeing.

Child Labour: use of children for work, especially work that is hazardous or interrupts a child's right to education and development.

Child exploitation: using children for profit, labor, sexual benefit, or for other personal or financial advantages. Includes producing, obtaining, or distributing child exploitation material

Safeguarding children: Safeguarding children is defined in Working Together to Safeguard Children 2018 as:

- protecting children from maltreatment.
- preventing impairment of children's health or development.
- ensuring that children are growing up in circumstances consistent with the provision of safe and effective care.
- taking action to enable all children to have the best outcomes.

1.6 Reference to national or international laws/policies.

This policy has been drawn up on the basis of law and guidance that seeks to protect children, namely:

- Children Act 1989
- UN Convention of the Rights of the Child 1991
- Data Protection Act 1998
- Human Rights Act 1998
- Sexual Offences Act 2003
- Children Act 2004
- Safeguarding Vulnerable Groups Act 2006
- Protection of Freedoms Act 2012
- Children and Families Act 2014

2. Policy Procedures.

These procedures are related to our minimum standards, as outlined in the program's guide to developing a child protection policy.

2.1. Recruitment procedures:

Maisha Outreach Therapy Organization (MOTO) is committed to safe employment and safe recruitment practices, that reduce the risk of harm to children from people unsuitable to work with them or have contact with them. MOTO has policies and procedures that cover the recruitment of all Trustees, employees, and volunteers. During recruitment, we consider the following for safe recruitment procedures:

- Criminal record checks (including requesting criminal record checks if any foreigners are engaged);
- reference checks involving a question related to an applicant's history around children;
- child protection related questions included in interviews for any roles that may include contact/direct work with children

Pursuant to the Tanzania Law of the Child of 2009, the following are some of the main issues that need to be considered by anyone regarding the employment of a child.

2.1.1 A child's right to work.

A child has the right to do light work. Light work is work that is not likely to be harmful to the health or development of the child and does not prevent or affect the child's attendance at school or other training. According to the same law, a child is any person below the age of eighteen years.

2.1.2 Prohibition of exploitative labor.

It is illegal for a person to employ or engage a child in any kind of exploitative labor. Taking into account the requirements of the law, Maisha Outreach Therapy Organization shall ensure that every child lawfully employed or engaged by it or its partners or contractors or consultants is protected against any discrimination which may have a negative effect on them taking into consideration their age and evolving capacities. Labour shall be construed as exploitative if:

- It deprives the child of his/her health or development. Child development in relation to the welfare of the child means the process of change during which a child is able to reach his physical, mental, emotional, and social potential, the development of each of such dimensions is simultaneously achieved through continued lifetime interaction with the environment.
- It exceeds six hours a day.
- It is inappropriate to his/her age e.g. working in a bar or pub, mining, and quarrying, portage of heavy loads etc.
- The child receives inadequate remuneration not equal to the value of the work done.

2.1.3 Prohibition of night labor.

The child shall not be employed or engaged in a contract of service performance of which shall require a child to work at night. Night work shall be construed to constitute work between the hours of 20.00 and 06.00.

2.1.4 Prohibition of forced labor.

It is illegal to induce, procure, demand, or impose forced child labor. According to the law, forced labor includes bonded labor or any other work exacted from a person under the threat of a penalty. Forced labor does not however include work that forms part of the normal civic obligation, minor communal services performed by the members of a community in the direct interest of that community.

2.1.5 Prohibition of hazardous employment.

It is unlawful to employ or engage a child in any hazardous work, which places a child at risk to suffer physical or mental injury. For the purposes of this policy, work shall be construed as or considered to be hazardous when it poses a danger to the health, safety or morals of a person. Hazardous work may include the following: going to sea; mining and quarrying; portage of heavy loads; manufacturing industries where chemicals are produced or used; work in a place where machines are used; work in places such as bars, hotels, and places of entertainment

2.1.6 Prohibition of sexual exploitation.

It is unlawful to employ or engage a child in any work or trade that exposes the child to activities of sexual nature, whether paid or not.

2.1.7 Prohibition of discrimination.

A child shall have a right to live free from any discrimination. Accordingly, no Maisha Outreach Therapy Organization employee shall discriminate against a child on the grounds of gender, race, age, religion, language, political opinion, disability, health status, custom, ethnic origin, rural or urban background, birth, socio-economic status, being a refugee or of other status.

2.2. Not Employing anyone who poses an unacceptable risk to children.

Maisha Outreach Therapy Organization will not engage anyone for work if they are deemed to pose an unacceptable risk to children. Employing someone who poses an unacceptable risk to children can undermine our organization's efforts to ensure a child-safe environment.

2.3 Employee Contracts (Child Protection Clause).

This policy will be used by Maisha Outreach Therapy Organization employees, volunteers, and all others who work for and on behalf of Maisha Outreach Therapy Organization including partners, contractors, and consultants. The policy set out provisions pertaining to the expected behavior of Maisha Outreach Therapy Organization employees, volunteers, etc., when in contact with children. The policy further details the complaint mechanism, child protection reporting procedures, dealing with disclosure, suspicion, and accusation, good practices when working with children, prevention of abuse, and raising awareness of the policy.

Increased awareness of the extent of child exploitation and abuse around the world means that Maisha Outreach Therapy Organization must have robust policies and practices to protect children. For the purpose of this policy, child abuse means a contravention of the rights of the child that causes physical, moral, or emotional harm including beatings, insults, discrimination, neglect, sexual abuse, and exploitative labor. Maisha Outreach Therapy Organization staff or volunteers can be dismissed or suspended if they are under investigation or found to not comply with the MOTO Child Safeguarding Policy.

2.4 Child Protection Training.

Maisha Outreach Therapy Organization will ensure an appropriate level of safeguarding training is available to its Trustees, Employees, Volunteers, and any relevant persons linked to the organization who requires it (e.g. contractors). For all employees who are working or volunteering with children, this requires them as a minimum to have awareness training that enables them to:

- Understand what safeguarding is and its role in safeguarding children.
- Recognise a child potentially in need of safeguarding and take action.
- Understand how to report a safeguarding Alert.
- Understand dignity and respect when working with children.
- Have knowledge of the Safeguarding Children Policy.

2.5 Child Protection Code of Conduct.

The following are behaviors/activities that Maisha Outreach Therapy Organization expect their workers to do, or not to do. It also includes expectations around the use of media that involves children, such as photos and films.

- Treat all children with respect.
- Not use language or behavior towards children that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate.
- Not engage children in any form of sexual intercourse or sexual activity, including paying for sexual services.

- Wherever possible, ensure that another adult is present when working near children.
- Not invite unaccompanied children into private residences, unless they are at immediate risk of injury or in physical danger.
- Not sleep close to unsupervised children unless absolutely necessary, in which case the supervisor's permission must be obtained, and ensuring that another adult is present if possible.
- Never use any computers, mobile phones, video cameras, cameras, or social media to exploit or harass children, or access child exploitation material through any medium.
- Not use physical punishment on children.
- Not hire children for domestic or other labor: which is inappropriate given their age or developmental stage; which interferes with their time available for education and recreational activities; or places them at significant risk of injury.
- Comply with all relevant local legislation, including labor laws in relation to child labor.
- Immediately report concerns or allegations of child exploitation and abuse and policy non-compliance in accordance with appropriate procedures.
- Immediately disclose all charges, convictions, and other outcomes of an offense that relates to child exploitation and abuse, including those under traditional law, which occurred before or occurs during association with Maisha Outreach Therapy Organization.
- Be aware of the behavior and avoid actions or behaviors that could be perceived by others as child exploitation and abuse.

When photographing or filming a child or using children's images:

- Take care to ensure local traditions or restrictions for reproducing personal images are adhered to before photographing or filming a child.
- Obtain informed consent from the child and parent or guardian of the child before photographing or filming a child. An explanation of how the photograph or film will be used must be provided.
- Ensure photographs, films, videos, and DVDs present children in a dignified and respectful manner and not in a vulnerable or submissive manner. Children should be adequately clothed and not in poses that could be seen as sexually suggestive.
- Ensure images are honest representations of the context and the facts.
- Ensure file labels, metadata or text descriptions do not reveal identifying information about a child when sending images electronically or publishing images in any form.

2.6 Incident Reporting and Response Procedures.

It is the responsibility of all who represents Maisha Outreach Therapy Organization, in whatever capacity, to raise their concerns appropriately. Any person working for Maisha Outreach Therapy Organization who has concerns regarding possible issues of abuse or exploitation in projects managed or supported by Maisha Outreach Therapy Organization or is aware that an individual working for Maisha Outreach Therapy Organization is committing abuse or exploitation, must raise this immediate reporting occurred if there are any alleged breaches of MOTO's CSG Policy.

through their line management, Country Director and other responsible staff using the following procedure:

- Raise the matter verbally or in writing with Executive Director, Country Director, or Program Officer. The responsible staff will elevate the complaint within 24 hours to the appropriate level of management to investigate the matter.
- Executive Director, Country Director, or Program Officer will notify them once the matter has been resolved.
- If the Maisha Outreach Therapy Organization employee is not satisfied, they should contact the next line manager or Project Manager as the case may be.
- For other persons working for or on behalf of Maisha Outreach Therapy Organization they should report the matter to the Executive Director, or Country Director who should investigate the matter as soon as possible.

Responding to complaints made within Maisha Outreach Therapy Organization affiliates in Tanzania:

Maisha Outreach Therapy Organization Executive Director and Country Director are responsible for responding to complaints. Raise the matter verbally or in writing with them. If a concern is raised verbally to anyone who works for Maisha Outreach Therapy Organization, that person must put it in writing to their manager within 24 hours, or as soon as they are physically able to do so.

- If the complaint is about the Maisha Outreach Therapy Organization Executive Director or Country Director, complaints should be directed to the Board Chairman or as appropriate.
- Any concerns raised will be treated with absolute confidentiality and without delay.
- If there appears to be a situation of abuse in a partner organization, the Executive Director or Country Director should report the issue to the Board of the partner organization and ask for a follow-up report. Failure by the partner organization to address allegations of child abuse should lead to a withdrawal of funding and termination of the partnering relationship.

External Reporting.

Complaints of this nature raised from outside the organization should be resolved using the formal complaints procedures.

2.7. Child Protection Risk Assessments.

2.7.1 Working with Children.

All Maisha Outreach Therapy Organization staff are expected to adhere to Maisha Outreach Therapy Organization Recruitment Policy when recruiting people to work with children. In order to ensure staff adheres to this policy, all employees must sign a Code of Conduct with their contract of employment which states that “I will respect all peoples’ rights, including children’s rights, and will not engage in any form of abuse or sexual. With beneficiaries, I will not exchange money, offers of employment, employment, goods, or services for sex nor for any forms of humiliating, degrading, or exploitative behavior. I will use my best endeavours to report any such behaviors or malpractice in the workplace by others to my line management or through recognized confidential reporting systems”.

Employees should be made aware that breaches of this policy or the Code of Conduct will be dealt with under the Disciplinary Procedures.

2.7.2 Entering into commercial sex transactions or engaging in sexual behavior.

Any employee who enters into commercial sex transactions or engages in sexual behavior with anyone under the age of 18, regardless of local custom, will be considered as having committed a disciplinary offense and will be dealt with under the Disciplinary Procedures. In addition, since it is a criminal matter in the Tanzania legal context to enter into commercial sex transactions or engage in sexual behavior, the issue would normally be reported to external authorities, including the police.

2.7.3 Committing a criminal offense.

If a Maisha Outreach Therapy Organization employee is found to have committed acts in relation to children and young people which are criminal or which contravene the principles and standards set out in this policy, Maisha Outreach Therapy Organization will take disciplinary action and or any other action that may be appropriate to the circumstances. The Law of the Child of 2009 will be taken into account when applying the disciplinary procedure to staff in breach of this policy.

If volunteers or consultants, contractors, or any other persons working for or on behalf of Maisha Outreach Therapy Organization are found to have committed such acts, the volunteering or consultancy or contracting relationship will be ended.

Guidelines for Incorporating Child Protection into Programme Work.

In order to incorporate child protection mechanism into the Maisha Outreach Therapy Organization program work all Maisha Outreach Therapy Organization Management staff, consultants, employees, and representatives should aim to:

- Plan and organize the work and the workplace so as to minimize the risk of abuse, exploitation, or harm coming to a child.
- In a program involving children, Maisha Outreach Therapy Organization staff should appoint a child protection focal point whose role includes child safeguarding over other program commitments.
- Promote a culture of openness in relation to child safeguarding issues, where any issues or concerns can be raised and discussed.
- Ensure that a sense of accountability exists between the staff so that poor practice or potentially abusive or exploitative behavior can be challenged.
- Talk to children about their contact with staff or others and encourage them to raise any concerns.
- Empower child beneficiaries and communicate to them their rights, what is acceptable and unacceptable, and what they can do if there is a problem.
- Communicate to child beneficiaries what standards of professional practice they can expect from Maisha Outreach Therapy Organization staff and what to do if they feel that anyone who works with Maisha Outreach Therapy Organization is falling short of these standards.

2.7.4 Guidelines for Management who receive Reports of Child Abuse or Exploitation.

In order to fully abide by this policy Country Director who, receive reports of child abuse or exploitation are advised to follow the following guideline.

- Act without delay. Always take complaints of this nature seriously.
- Respect confidentiality. Only pass the information on to a person who needs to know, either for the purposes of protecting a child or investigating the complaint.
- Discuss with the Project Manager responsible person whether it's appropriate to approach the parents of the child. Also, consider whether to ask the child's consent to approach their parents. While doing these managers should note that the child's welfare is the priority.
- Evaluate the allegation. Many (but not all) will need a formal investigation. If necessary, undertake initial fact-finding before conducting a formal investigation.
- If the Country Director decides to investigate, they should inform the Programme Officer.

- Normal practice is to suspend an employee during such an investigation.
- Protect those involved: witnesses, complainant, and subject of a complaint.
- The Country Director or any other senior manager in the location should be the decision-maker. They can access support from HR's responsible person in the respective affiliate.
- Follow up. If the allegations are proved beyond reasonable doubt the manager should take appropriate action, for example reporting the matter to local police, dismissing the employee, or ending the relationship if the allegation is proven against a volunteer or consultant, contractor or any other person working for or on behalf of Maisha Outreach Therapy Organization. While taking action take local legal advice so that all requirements of the local law are taken into account.
- Follow up with complainant if possible.

If the complaint is about a partner organization, Country Director should work with them to identify a 3rd party to conduct the investigation. If the outcome is that child abuse or exploitation has occurred, ongoing work with the partner organization cannot go ahead including the individual concerned has been removed from their position and measures have been taken to prevent further exploitation. The Country Director should discuss with the Board of the partner organization and consider referral to the police or other statutory authorities for a criminal investigation and prosecution under the law of the child of 2009.

2.8 Child Protection Policy review.

This policy will be reviewed regularly from the date of implementation. Review process will be initiated by the Country Director. Where changes in child protection legislation occur that directly affect this policy the HR responsible person in.