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Revised version October 2018

# Child Safeguarding Policy



## Board Statement

As this policy indicates, the rights, safety and protection of children are of paramount concern to Oak Foundation and its Trustees. For the past five years we have worked to develop robust child safeguarding measures both within Oak and among our grantees. This policy aims to strengthen these continued efforts, with the goal of ensuring that Oak Foundation's child safeguarding standards are clear, comprehensive and enforceable. In doing so, it builds on the international child safeguarding standards of Keeping Children Safe and the good practices of other foundations and international groups.

We intend to continue to refine and strengthen this policy as we learn more about what works in this important area. We strive to be leaders within the growing movement of organisations that recognise the importance of safeguarding in promoting the rights and protecting the welfare of children and their families.

We are determined to put children first in all we do and to make the rights enshrined in the International Convention on the Rights of the Child a reality for all children everywhere.



Caroline Turner  
Chair of the Board, Oak Foundation

*The next revision of this policy is scheduled for October 2020.*

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# 1. Introduction



Oak Foundation is family-led and reflects the vision and values of its founders. In all its work Oak pursues rights-based approaches, gender equality and partnership with the organisations we fund. We support civil society as a pillar of democracy and justice, and nurture innovation and visionary leadership within it. We value diversity both within Oak and among our partners; we seek to be inclusive and flexible and engage with different points of view. We believe that the best grant-making reflects both careful due diligence and the willingness to take risks.

The rights, safety and protection of children is of paramount concern to Oak Foundation. As set out in the Convention of the Rights of the Child, every child has the right to a life free of violence and abuse. As a part of our responsibility for the safety and protection of children, the first Oak *Safeguarding Children Policy* was adopted in 2013.

The field of child safeguarding continues to evolve, and this updated policy reflects some of the thinking and learning that has emerged since 2013. This policy builds on the international child safeguarding standards by Keeping Children Safe<sup>1</sup>, as well as the good work of multiple organisations and funders<sup>2</sup>.

### 1.1 Vision

Oak Foundation envisages a world in which all children and adults are protected from all forms of abuse and exploitation. Violence, abuse and exploitation of children are global phenomena and Oak sees such acts as crimes against children that have devastating consequences on their development and on societies as a whole.

As a Foundation, Oak supports fundamental human rights, including the human rights of children. However, despite the existence of international covenants, regional treaties and domestic laws, the reality is that children are routinely unable to claim their basic rights. Oak Foundation seeks to contribute to a world in which children have the rights, capacity and opportunity to experience safety from violence and to enjoy their full and equal human rights.

### 1.2 Commitment

Oak Foundation, through its grant-making, addresses a wide range of social justice issues and, with this policy, commits to ensuring that through *all* its programmes, it will strive to prevent abuse and promote the safety, protection, wellbeing and development of children. In so doing, Oak also seeks to enhance its reputation as a Foundation of integrity, committed to putting its principles into practice.

### 1.3 Values and Principles

As a grant-maker, we know that we are but a small part of the changes we seek. Oak Foundation's role is to support and enable others to make the world a safer, fairer and more sustainable place to live. Our values are underpinned by a firm belief in the rights, safety and protection of children.

Specifically, we believe that:

- Safeguarding children is 'everybody's business'.
- Children should always be treated with respect, regardless of their sex, ethnic or social origin, language, religious or other beliefs, disability, gender identity, sexual orientation or other status.
- All children have the right to freedom from all forms of violence, abuse, neglect and exploitation.
- All child abuse is an abuse of power and all violence towards children is both unacceptable and preventable.
- Although children may be resourceful and resilient, there is an inherent vulnerability in relation to abuse, given their general lack of status and power, dependence, stage of development, and reliance on adults.
- Children are most at risk from those people they know and often trust. Adults engaged in positions of trust towards children must therefore exercise the highest levels of integrity and good practice.
- All organisations and professionals working or in contact with children have an obligation to ensure that their operations are 'child safe'. This means that staff, volunteers and contractors do not represent a risk to children and that programmes, policies and practices are designed and developed in ways that promote the protection of children.

### 1.4 Safeguarding Standards<sup>3</sup>

Oak Foundation holds itself accountable to the standards outlined here below, and upon review of its safeguarding measures will evaluate progress based on these standards. We hold our grantees accountable to the same standards, and through our grant-making we pledge to provide support for them to meet these standards.



## 1.5 Definitions and Terms

**Child<sup>4</sup>** means every human being under the age of 18.

**Child abuse<sup>5</sup>** 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.

**Child safeguarding<sup>6</sup>** is the responsibility that organisations have; to make sure their staff, operations, and programmes do no harm to children; and that they do not expose children to the risk of harm and abuse. Any concerns the organisation has about children's safety within the communities in which they work, are reported to the appropriate authorities.

**Child sexual abuse<sup>7</sup>** is the involvement of a child in sexual activity with 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:

1. the inducement or coercion of a child to engage in any unlawful sexual activity;
2. the exploitative use of child in prostitution or other unlawful sexual practices; and
3. the exploitative use of children in pornographic performances and materials.

**Commercial or other exploitation of a child<sup>8</sup>** refers to use of a child in work or other activities for the benefit of others. This includes, but is not limited to, child labour and use of children for prostitution. These activities are to the detriment of the child's physical or mental health, education, or spiritual, moral or social-emotional development.

**Contact with children<sup>9</sup>** means working on an activity or in a position that involves or may involve any interaction with children, no matter how minimal, either under the position description or due to the nature of the work environment. This includes indirect interaction with children in the community.

**Emotional abuse<sup>10</sup>** 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 potential and in the context of the society in which the child lives. 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, denigrating, scapegoating, threatening, scaring, discriminating, ridiculing or other non-physical forms of hostile or rejecting treatment.

**Neglect<sup>11</sup>** 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.

**Oak staff:** for the sake of brevity, the term "Oak staff" in this document includes all categories of persons detailed under section 1.5 Scope.

**Physical abuse<sup>12</sup>** 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.

**Working with children<sup>13</sup>** means being engaged in an activity with a child where the contact would reasonably be expected as a normal part of the activity and the contact is not incidental to the activity. Working includes volunteering or other unpaid work.

## 1.6 Scope

This policy applies to:

- all staff employed or engaged by Oak Foundation, including paid full-time or part-time staff;
- Trustees and Advisors to the Board;
- volunteers and visitors sent by Oak, to Oak funded programmes, who may also be in contact with children; and
- interns and other contracted personnel, including consultants, who have been defined as 'working with children'.

## 1.7 Roles and Responsibilities

All Oak staff are responsible for adhering to this policy, but certain staff have particular responsibilities under the policy, as detailed below. Establishing clear governance and accountability mechanisms is critical to successful implementation. Therefore, the policy will be 'owned' by the Department of Administration, and the President will bear the ultimate responsibility, as delegated by the Board, for its overall implementation. Specific requirements for Oak grantees and partners are detailed in Chapter 5.

### All staff

Each member of staff (as detailed above in 1.6 Scope), agrees to familiarise themselves with this policy and comply fully with its standards and its chapter on code of conduct specifically. Staff are required to be aware of risks to children and be vigilant. Staff are also responsible to report any concern about the safety of children as per the reporting procedure in Chapter 3 and to participate fully in any safeguarding inquiry if requested. Furthermore, staff are to participate in annual trainings on child safeguarding.

### Trustees

Trustees hold the President accountable for the overall implementation of the policy and request regular reports on progress through the President's report. Trustees have the final sign-off on the policy.

### President

The President, assisted by the Director of Administration and Designated Officer, will manage the process of implementation and will report regularly on progress to the Board of Trustees and to Staff. The President will be accountable to the Board for ensuring Oak is on track to meet its commitments in full, as described in the policy<sup>14</sup>.

### Management

Management includes Directors, Heads of Programmes and those with supervisory responsibilities. They are responsible for the promotion of good practice by championing the safeguarding of children within their programmes and ensuring staff compliance with this policy.

### Programme staff

Programme staff are responsible for the promotion of good safeguarding practice to the grantees they work with.

### Human Resource staff

Human Resource staff are responsible for adhering to the standards outlined in chapter 2.2 on safe recruitment.

### Designated Officer

The Designated Officer (DO) is responsible for the management of the reporting procedure. This includes regular monitoring of reporting channels and adhering to the steps of the reporting procedure as per Chapter 3, including the reporting framework. The DO commits to responding appropriately and referring safeguarding concerns promptly to the relevant authorities as required. The DO will participate in specific trainings to be able to fulfill their role appropriately.

## 2. Prevention



Prevention is the cornerstone of the protection and safeguarding of children. Oak Foundation commits to preventing harm to children through the following areas:

## 2.1 Risk Assessment and Management

Oak Foundation carries out regular risk assessments to its staffing, programming and operations and develops appropriate actions to manage identified risks.

As Oak has presence in seven different countries, relevant parts of this policy and the reporting framework will be adapted to the local context and localised risk assessments will be carried out.

## 2.2 Child-safe Recruitment

Oak Foundation acknowledges that creating safe environments for children starts with the appointment of suitably qualified, skilled and vetted staff who have the desired competencies and skills to carry out their function in an effective, efficient and safe manner. The recruitment processes used within Oak aim to be in the best interests of children and will reflect our commitment to protect children and prevent abuse.

### Recruitment of staff

In addition to Oak's standard recruitment processes, the following child safeguarding measures are applied:

- Applicants will also be required to submit the names of two referees who will be asked to provide references, including the referee's considered view on the candidate's suitability to be in contact with children. Oak reserves the right to follow up with any previous employer.
- The successful applicant will only be offered a position subject to: (a) suitable references; (b) proof of qualifications; (c) relevant vetting/ clearance procedures; and (d) positive proof of identification.

### Selection of consultants 'working with children'

All consultants or other contractors identified as working with children will be required to undergo relevant vetting processes (which may include police criminal background checks, subject to local jurisdictions), Prior to deployment, he or she will sign a declaration stating that there is no known reason or event that would render them unsuitable for the post, and declaring any criminal convictions or ongoing criminal prosecutions against them.

- All applicants will be required to undergo relevant vetting processes (which may include police criminal background checks, subject to local jurisdictions) and, starting employment with Oak, will sign a declaration stating that there is no known reason or event that would render them unsuitable for the post, and declaring any criminal convictions or ongoing criminal prosecutions against them (see Annex II for sample).

## 2.3 Code of Conduct

All those covered by the policy commit to respecting, promoting, upholding and protecting, at all times, the rights of the child as set out in the UN Convention on the Rights of the Child. The standards of behaviour set by the Code (in bullets below) are required of all those covered by this policy in respect of their conduct towards all children. Adherence to these standards will be interpreted within the framework of the UN Convention on the Rights of the Child<sup>15</sup>. Anyone found to be in breach of the Code will be subject to disciplinary action, up to and including dismissal or termination of employment or other arrangement with the Foundation.

- Always treat children with respect regardless of their sex, ethnic or social origin, language, religious or other beliefs, disability, sexual orientation, gender identity or other status.
- Use language or behaviour towards children that is at all times appropriate and in no way harassing, abusive, sexually provocative or demeaning.
- Sexual activity with children is prohibited regardless of the age of majority or age of consent locally. Mistaken belief regarding the age of a child is not a defence<sup>16</sup>.
- Engaging children in any form of sexual activity, including paying for sexual services, i.e., exchange of money, employment, goods or services is prohibited. This includes exchange of assistance that is due to them.
- Wherever possible, ensure that another adult is present when working in the proximity of children and when inviting children home, unless the relevant precautions have been taken.
- Inappropriate use of any computers, mobile phones, video/digital cameras or other electronic devices, including to access, view, create, download or distribute online sex abuse images of children, is prohibited.
- Physical punishment or discipline or use of inappropriate physical force of any kind towards children is prohibited.
- The use of children for domestic or other labour is prohibited when it: is inappropriate for the child's age or developmental capacity; interferes with the time available for education and recreational activities; or places him or her at significant risk of injury, exploitation or abuse.
- Immediately report any concerns, suspicions, incidents or allegations of actual or potential child abuse or any breaches of this policy in accordance with appropriate Procedures and to the Designated Officer (see below), charged with receiving such complaints. The person who makes a report in good faith will not be subject to retaliation. A person may report on an anonymous basis; although that may impede the Designated Officer's ability to thoroughly investigate the allegations.

### Personal conduct outside work or engagement with Oak Foundation

Actions taken outside working hours that are seen to contradict this policy will be considered a violation of the policy. Oak employees are required to adhere to principles of the Child Safeguarding policy both at work and outside work. Common sense will prevail in applying this to staff's private lives.

## 2.4 Training and Staff Development

### Awareness raising and training

Oak understands that, for the policy to be well understood and effectively implemented, it is essential that there are high levels of awareness and knowledge regarding the policy and that staff and others are clear, confident and competent in putting the policy into practice. Oak, therefore, commits to:

- Disseminate and promote the policy in a range of ways (e.g., website, hard copies and verbally). Copies of the policy will be made available and accessible to all stakeholders, both in hard copy and electronically.
- Oak will produce local language versions for countries where Oak has an office to ensure that the policy is fully understood by all relevant parties, both within and external to Oak.
- Oak will adapt the reporting procedure for countries where Oak has an office to ensure that any breach of the policy will be dealt with in an appropriate manner and as per the national legal frameworks.
- Regular briefings and trainings will be provided as part of the roll-out of the Policy and these, or elements of these, will be incorporated into standard induction processes for all staff. Training on the policy will be compulsory and will be carried out annually. Newly recruited staff will receive induction sessions and will participate in the next available training.
- Oak will ensure access to regular training updates and refresher courses to ensure that the policy continues to be embedded and that staff are made aware of changes and developments to the policy and its implementation.

- In addition, Oak will ensure further training is provided for staff with specific responsibilities under this policy. These groups would include anyone working directly with children and the Designated Officer. Training provided to managers and staff designated to receive and respond to complaints and protection incidents will support those staff in making effective and appropriate responses.
- Oak will provide staff with access to materials and resources that support understanding and implementation of the policy and will also encourage sharing of experiences and examples of good practice in implementing the policy across the Foundation.

## 2.5 Child-safe Grant-making

Oak Foundation recognises the importance of the safeguarding and protection of children in its grant-making. As a part of its due diligence, Oak expects grantees working with or in contact with children, to adhere to the Oak child safeguarding standards (see chapter 1.4 above) and have appropriate safeguards in place. For those grantees who need assistance, Oak provides guidance and support to enable the grantee to meet the safeguarding standards.

During the due diligence process, Oak Foundation asks applicants to fill in the *Grantee Risk-Assessment and Self-Audit form*, which is reviewed and responded to before a grant is awarded. By signing an Oak Grant Letter, a grantee confirms its understanding and commitment to Oak Foundation's Child Safeguarding policy and commits to meeting Oak Foundation's child safeguarding standards during the lifetime of the grant. Grantee compliance of Oak's safeguarding standards is monitored through regular annual reporting and site visits.

## 2.6 Child-safe Communication

The public use of images and stories of children can pose potential protection-related risks to them. It is therefore important to have the child's best interests at heart when using their images and stories. This entails respecting their dignity and rights, including the right to privacy and their right to be heard.

Consent should always be gained before taking images of children. Oak staff should ensure that:

- any images taken are approved by the grantee organisation and that they in turn have gained the written or verbal consent of children and their caregivers;
- images or stories do not reveal the identity or location of the child;
- care is taken to preserve the identity of vulnerable children<sup>17</sup>; and
- images depicting children that are taken during site visits are not used on Oak staff's personal social media accounts.

More detailed guidelines on the use of images and stories of children are found in [Annex III](#).

# 3. Reporting and Responding to Child Safeguarding Concerns



Oak Foundation is committed to responding to all reports or indications, including rumours, that suggest a child may be harmed or at risk of harm. The safety of child(ren) must be of paramount concern at all times.

The Designated Officer (DO), namely the HR Manager in Geneva<sup>18</sup>, is responsible for ensuring that the reporting procedure outlined below is followed, so that suspected cases of abuse and/or breaches of the Child Safeguarding policy by Oak staff are responded to appropriately and referred promptly to the relevant authorities as required.

- The DO in Geneva will receive all reports, through email ([reportaconcern@oakfnd.ch](mailto:reportaconcern@oakfnd.ch)) telephone, in-person or through a member of staff, informing the President and Director of Administration within 24 hours of receipt, who will ensure that incidents are dealt with appropriately.
- The first step of any reported incident is to ensure the safety of the child(ren) concerned.
- All reports and concerns should be recorded using the form in Annex I. The DO will be responsible for gathering information.
- No person who makes a report in good faith will be subject to retaliation. A person may report on an anonymous basis although that may impede the Designated Officer's ability to thoroughly investigate the allegations.
- The President and Director of Administration may inform appropriate colleagues during the investigation. The Foundation will strive to maintain confidentiality to protect the affected individual(s). In its goal of engaging in a thorough investigation, the Foundation may, however, be required to disclose the allegations or result of the investigation to the authorities.
- Investigations will be handled by the President<sup>19</sup>, fairly and consistent with the principles of natural justice (i.e., rule against bias and the right to a fair hearing). Investigations will be objective, transparent, and will be guided by external professional expertise and support when required.

- Disciplinary measures taken as a consequence of the breach of the policy will be proportionate and justifiable to the nature of the breach. Situations will be reviewed on a case-by-case basis prior to applying sanctions proportionate to the breach.

The reporting mechanisms and referral pathways will be widely publicized and accessible. The policy is published on Oak Foundation's [website](#) and intranet, along with an email address and an online form for reports ([reportaconcern@oakfnd.ch](mailto:reportaconcern@oakfnd.ch)).

### 3.1 Adapting the Procedures to different contexts

Adapting the Procedures to different contexts  
A key element in making appropriate and effective responses to child protection concerns is having a clear picture of the local context so that responses are made in line with legal, social welfare and any other considerations. Following the approval of this policy, a mapping exercise will be undertaken for each country where Oak Foundation has a presence. The results of this process will be a local adaptation of this chapter, followed by tailored information sessions for staff.

### 3.2 Reporting Framework for Oak staff<sup>20</sup>

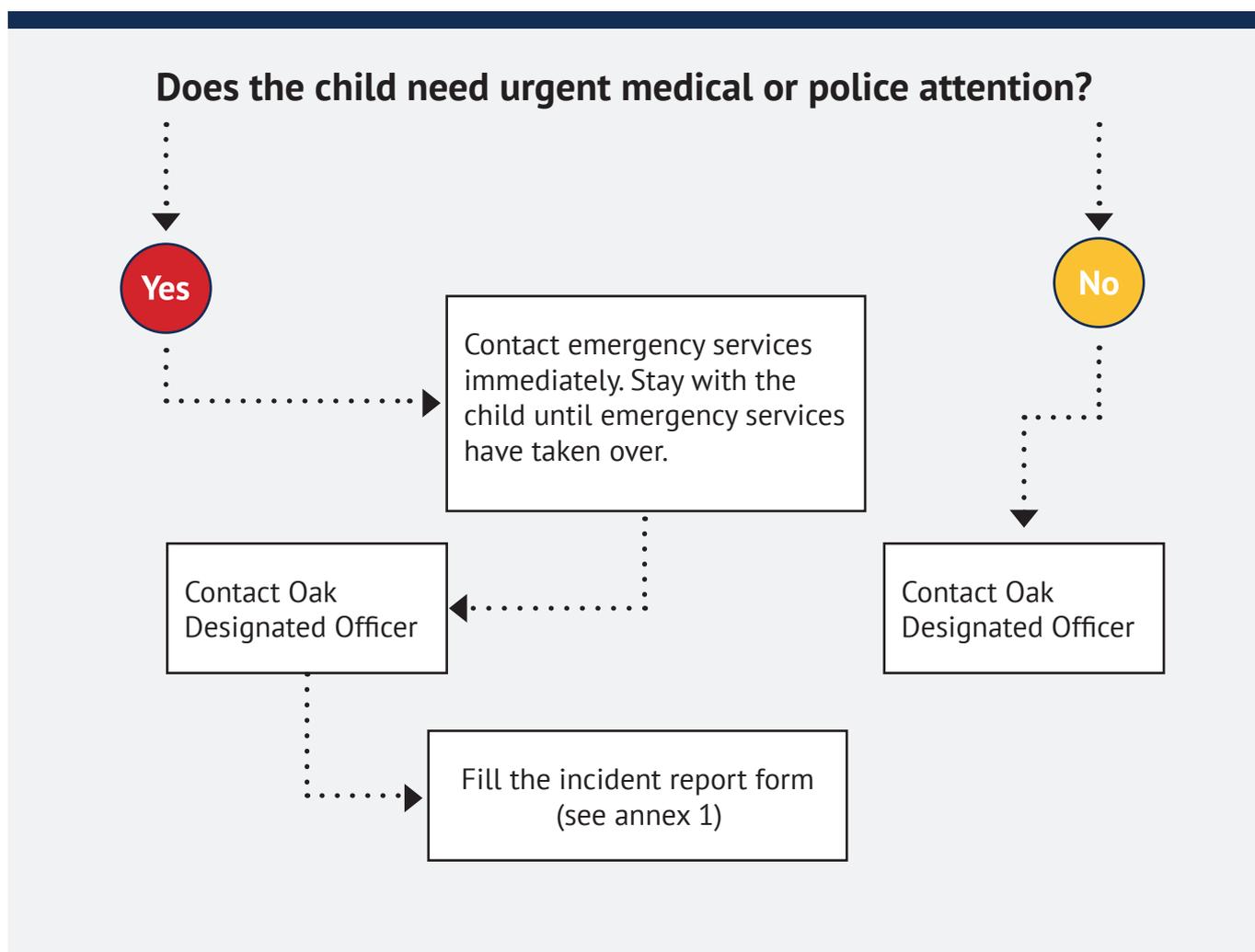
Did you **witness** child abuse? Yes  No

Do you **suspect** someone of child abuse? Yes  No

Has someone **alleged** abuse of a child? Yes  No

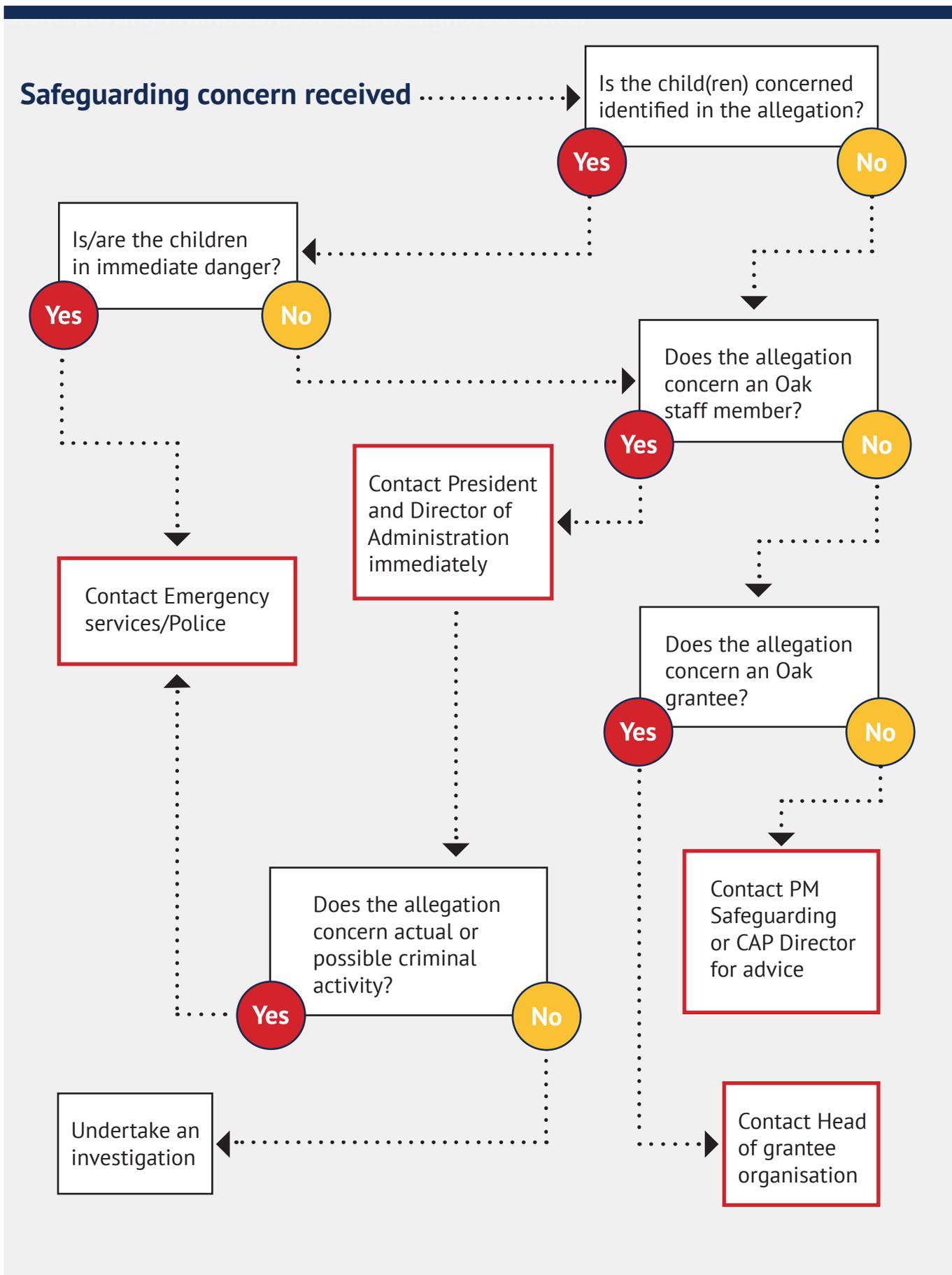
Has someone **disclosed** abuse of a child to you? Yes  No

If you answered **yes to any of the above**, please follow the reporting framework below.



**Emergency Service Numbers**  
 Geneva: 112  
 Chapel Hill: 911  
 London: 999

### 3.3 Reporting Framework for Oak Designated Officer



# 4. Implementation, Monitoring and Review of this Policy



Oak will ensure that implementation of the Child Safeguarding Policy is subject to regular monitoring and will review the policy every three years (although changes may be made prior to formal review, should legal, policy or practice changes suggest this is necessary). Resources required (human, financial and time) to support the implementation of this policy will be made available on a yearly basis.

Reports on progress towards full implementation of the policy will be presented by the President to the Board on an annual basis. These reports will include updates and a summary of progress as well as key successes, challenges and obstacles to implementation. The reports will also include any breaches of the policy, subsequent actions and outcomes so that the nature and frequency of protection incidents can be monitored over time and identified gaps responded to.

# 5. Annexes



## Annex I: Oak Child Safeguarding Policy reporting and recording format

### 1. DETAILS OF THE CHILD/CHILDREN

Name:

Gender: Male  Female

Age:

Date of Birth:      
D D M M Y Y Y Y

Address:

Language/s spoken:

Additional factors that might increase risk:

Other relevant information:

**Name and contact details of parents/legal guardians/care takers:**   
**(delete as appropriate):**

Name:

Gender: Male  Female

Age:

Date of Birth:      
D D M M Y Y Y Y

Address:

Language/s spoken:

Any disability:

### 2. DETAILS OF THE ALLEGED PERPETRATOR/SUBJECT OF CHILD PROTECTION CONCERN

Name:

Gender: Male  Female

Nationality:

Age:

Address/current location:

Language/s spoken:

Relationship to victim:

Occupation:

Employer:

### 3. DESCRIPTION OF INCIDENT

What happened? *Please describe the incident as closely as possible to what you were told or to what you witnessed? Mention time, location and persons involved:*

### 4. DETAILS OF OTHER PERSONS/AGENCIES INVOLVED:

Name:

Gender: Male  Female

Position in/relation to Oak:

Reported to:

Name:

Gender: Male  Female

Position in/relation to Oak:

#### Details of Witness:

Name:

Gender: Male  Female

Address:

Position in/relation to Oak:

Telephone:

Relationship to child:

#### External Agencies of People contacted (if any):

Date:

Time:

Number and nature of child protection concerns the alleged perpetrator has previously been associated with:

Any other details (including physical description, current whereabouts):

**Name of agency:**

**Contact of agency:**

Any other details (including physical description, current whereabouts):

Name: Gender: Male  Female Address: Mobile: Telephone: E-mail: Fax: 

## 5. INVESTIGATION

Who was involved in the investigation, roles and responsibilities (investigation team, police/ state prosecutor/government authority, interviewees, representative of other agencies, etc.)?

## 6. OUTCOME AND ACTION

### Incident occurred:

Date: Time: Place: 

### Incident was reported:

Date: Time: Place: 

### Main conclusion of the investigation:

Allegation substantiated     Allegation not substantiated     Findings not conclusive

Victim response: Action taken: 

## 7. LESSONS LEARNED; RECOMMENDATIONS; ACTION TAKEN AND APPENDICES

Lessons learned (strengths and weaknesses in areas such as the policy and its implementation, management, recruitment, supervision etc): Recommendations (recommendations to prevent possible abuse and improve the investigation process in the future): List of appendices/other documentation (e.g. interview reports, file notes, correspondence):

Completed by: Date: Name: 

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

**Annex II:  
Declaration for Staff and Consultants of Oak Foundation<sup>21</sup>**

To be appended to contract of employment or consultancy

- I have read and understood Oak Foundation’s Safeguarding Children Policy and accompanying Procedures and Guidance.
- I agree to abide by Oak Foundation’s Safeguarding Children Policy and Procedures.
- I also declare that I have disclosed to Oak Foundation any issue which could give rise to any child protection concern – real or perceived – regarding my suitability for employment or consultancy. I confirm that I have no criminal prosecutions pending, nor have I been previously convicted of any offence involving inappropriate conduct with children.

Name and Signature

Date

\_\_\_\_\_

\_\_\_\_\_

## Annex III: Guidelines for using images of children

### Risks

The public use of images and stories of children poses potential protection-related risks<sup>22</sup>:

- Images containing personal information can be used as a means of identifying children, making contact with them at a distance or even tracing them to where they live.
- Images may be altered or adapted for inappropriate use.
- Displaying and using inappropriate images, stories etc., or images and stories for which consent and permission have not been obtained is unethical and may lead to increased organisational risks, such as reputational damage.

1. Personal information about a child (such as full name and date of birth or full names of family members) and information that could be used to identify his/her specific location within a country (such as village or community names, school, parish, etc.) should not be used, especially where this is linked to an image. The maximum information given about a child should be first name and name of the district in which they live.

2. Children that have experienced violence, exploitation, have been otherwise abused or are in some way particularly vulnerable or at risk if identified, should not have their faces displayed or in any other way be represented in a way that may lead to their identification. In addition, their real names should be changed, and this change be indicated. Other identifying details should also be changed.

3. Images of children in states of undress should not present them in poses that could be interpreted as sexually suggestive or in ways that impact negatively on their dignity or privacy.

4. All images and stories, along with accompanying details of individuals, should be used and kept according to relevant data and privacy laws. It is recommended that: images are stored securely (e.g. lockable safe/ cabinet, electronic files password protected, limited access etc.); and images are destroyed two years after the date on the consent form unless further consent is agreed.

### Consent

5. The informed, oral consent of the child **and** parent/guardian should always be obtained before a photograph or image of a child is taken and used, and its intended and/or possible use(s) explained. The implications of using images, including risks and possible negative consequences, especially where images used on websites should also be fully explained. Child-friendly consent forms should be used for obtaining consent from children and, where possible, the child and family should be shown the image before it is published.

6. Group photographs: as with individual photographs, it should be explained to the group what the photographs will be used for and consent sought from individuals in the group. Any individuals who wish to opt out should be allowed to do so.

7. General photographs: where using images of children in crowd scenes where it may be difficult or impossible to get consents, the following should be taken into consideration:

- Would the children attending the event expect photographs to be taken?
- Would children in the photograph probably consider themselves to be in a public place, with no expectation of privacy?
- Is it unlikely that anyone would object to the photograph being taken? (An individual could be in a public place but may not want any images of them being used.)

Where photographs are being taken at a planned event, as far as possible individuals should be told in advance that cameras will be used and how the photos will be used, in order that they can opt out of the event or notify organisers that they do not wish to be featured in any photographs.

Guidelines for use of photographers/writers contracted by Oak

8. Independent photographers and writers commissioned by Oak are considered as contractors/consultants and as such are subject to the policy.

Reporting concerns

9. Concerns regarding inappropriate use of the images of children should be reported to the Designated Officer as detailed in Chapter 3 of this policy.

## References

- 1 <https://www.keepingchildrensafe.org.uk/how-we-keep-children-safe/accountability/accountability>
- 2 Resources used include: Keeping Children Safe, Human Dignity Foundation, UNICEF, Terre des Hommes Lausanne, NSPCC, DFAT,
- 3 These standards build on the international child safeguarding standards developed by Keeping Children Safe
- 4 UN Convention on the Rights of the Child, article 1.
- 5 'World Report on Violence and Health' (WHO 1999 & 2002)
- 6 Keeping Children Safe Standards (KCS 2014)
- 7 'World Report on Violence and Health' (WHO 1999 & 2002)
- 8 'World Report on Violence and Health' (WHO 1999 & 2002)
- 9 DFAT Child Protection Policy for the Australian Government's aid program (2018)
- 10 World Report on Violence and Health' (WHO 1999 & 2002)
- 11+ 12 Ibid
- 13 DFAT Child Protection Policy for the Australian Government's aid program (2018)
- 14 As of 2018 a Project Manager, Safeguarding and Organisational Development was hired to oversee and manage Oak Foundation's work on safeguarding, including the drafting of this policy. If or when this position is no longer in place, the President will need to designate a focal point to assist in the oversight and management.
- 15 Specifically, Oak Foundation recognises the responsibilities, rights and duties of parents and family members as laid down in Article 5 of the Convention on the Rights of the Child, which reads: "States Parties shall respect the responsibilities, rights and duties of parents or, where applicable, the members of the extended family or community as provided for by local custom, legal guardians or other persons legally responsible for the child, to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the rights recognized in the present Convention".
- 16 This is consistent with the standard set out in the UN Secretary General's bulletin "Special Measures for Protection from Sexual Exploitation and Sexual Abuse" (ST/SGB/2003/13, section 3, para. 3.2 (5)).
- 17 This includes but is not limited to: child survivors of abuse, children in conflict with the law, children with a vulnerable status such as asylum-seeking or stateless children, child combatants.
- 18 The DO has an appointed alternate that will take on the same functions and responsibilities when the DO is out of office.
- 19 In the President's absence, the Director of Administration will take on the responsibilities of the President under this policy.
- 20 This reporting pathway is inspired by other child safeguarding policies such as: Terre des Hommes Lausanne, UNICEF Safeguarding Toolkit for Business.
- 21 This declaration should be signed by all new staff. In addition, consultants and other contractors whose role has been defined as 'working with children' should sign this declaration. Please refer to section 2.2 of the Policy for more information.
- 22 Based on A Child Protection Toolkit (KCS 2006) and Plan International guidelines.  
*N.B. Each office must ensure that it complies with local legislation pertaining to data protection and privacy and should also follow guidance contained in this document where it sets a higher standard.*



## **Oak Foundation**

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