

Child Protection Policy 2020

National Early Childhood Intervention Council
(NECIC)



Date adopted: 30 November 2020

Date revised: 9 June 2021

1. Introduction

The Child Protection Policy outlines the most appropriate practices for us to work ethically with children. It also provides a framework to respond respectfully and effectively to concerns and allegations of child safety, abuse, and exploitation.

While this policy is written specifically to the context of a child, its safeguarding principles and application also extend to other beneficiaries of NECIC programmes and its member organisations, such as families and caregivers of children with disabilities and **adult with disabilities**¹. The safeguarding measures also apply to the workplace context, including staff and volunteers.

2. Statement of Commitment

The National Early Childhood Intervention Council (NECIC) believes that children have the right to be free from all forms of violence, abuse, neglect, exploitation and discrimination as upheld by the United Nation Convention on the Rights of the Child 1989 (UNCRC).

NECIC has **Zero tolerance** towards any form of violence against children and persons with disabilities, such as discrimination, child abuse and sexual exploitation, committed by its committee or members, representatives, or staff of its member organisations as well as partners, networks or any party in a working relationship with NECIC.

3. Behavioural Protocols

3.1 Application

The practices outlined in NECIC's Child Protection Policy applies to anyone working with children and families through NECIC, particularly the following, but not limited to:

- Staff and Council
- NECIC Members: Representatives of Ordinary Member Organisation, Individual Associate Members, Corporate Associate Members, Honorary Members
- All staff of Ordinary Member Organisations and Corporate Associate Member
- Volunteers and partners

¹ UN Convention on the Rights of Persons with Disabilities defines "Persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments, which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others."

All agreements between NECIC and parties mentioned above will include the Child Protection Policy and Code of Conduct.

Note: While it is acknowledged that NECIC member organisations may be implementing their child protection or child safeguarding policies in their respective organisations, these policies must be **consistent** with NECIC’s Child Protection Policy.

3.2 Definitions

- 1) Child – anyone below 18 years of age.²
- 2) Child protection – measures to ensure that the child is protected from all forms of abuse and exploitation.
- 3) Child abuse – It is in accordance with the following definitions:

Child Act 2001	<p>(a) physically injured if there is a substantial and observable injury to any part of the child's body as a result of the non-accidental application of force or an agent to the child's body that is evidenced by, amongst other things, a laceration, a contusion, an abrasion, a scar, a fracture or other bone injury, a dislocation, a sprain, haemorrhaging, the rupture of a viscus, a burn, a scald, the loss or alteration of consciousness or physiological functioning or the loss of hair or teeth;</p> <p>(b) emotionally injured if there is substantial and observable impairment of the child's mental or emotional functioning that is evidenced by, amongst other things, a mental or behavioural disorder, including anxiety, depression, withdrawal, aggression or delayed development;</p> <p>(c) sexually abused if he has taken part, whether as a participant or an observer, in any activity which is sexual in nature for the purposes of—</p> <ol style="list-style-type: none"> (i) any pornographic, obscene or indecent material, photograph, recording, film, videotape or performance; or (ii) sexual exploitation by any person for that person's or another person's sexual gratification.
Sexual Offences Against Children Act 2017 (Act 972)	<p>Section 14: “Physical sexual assault on children” is defined as: Any person who, for sexual purposes</p> <ol style="list-style-type: none"> a. touches any part of the body of a child b. makes a child touch any part of the body of such person or of any other person c. makes a child touch any part of the child's own body d. or does any other acts that involve physical contact with a child without sexual intercourse. <p>Section 15: “Non-physical assault on children” is defined as: a. Any person for sexual purposes utters any word or exhibits</p>

² The United Nations Convention on the Rights of the Child and the Malaysian Child Act 2001 (Act 611. Revised 2016) defines a “child” as a person below the age of 18.

Note: For international definition on child abuse, please refer to UN Convention on the Rights of the Child (articles 19, 34, 35, 36, and 37) and UNHCR’s Action for the Rights of Children.

	<p>any object or his body with the intention that it will be heard or seen by the child;</p> <p>b. makes a child exhibit his or her body so that it can be seen by the person or others;</p> <p>c. stalks a child by any means;</p> <p>d. threatens to use any representation be it visual, audio or written or the combination of all on the child or child is engaged in a sexual activity;</p> <p>e. engages in an activity sexual in nature in presence of a child;</p> <p>f. causes a child to watch or hear or by any other means another person engaging in sexual activity</p> <p>g. makes a child engage in an activity that is sexual in nature.</p> <p>Section 11 and 12: Sexual communication with a child and Child grooming Any form of sexual communication with a child and child grooming are not clearly criminalised behaviours. As is child pornography (section 4).</p>
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4) Sexual exploitation and abuse– It is in accordance with the following definitions:³

Sexual abuse	The threatened or actual physical intrusion of a sexual or sexualised nature, including inappropriate touching, by force or under unequal or coercive conditions, sexual assault and rape. It may also include threatened or actual non-physical intrusion (unwanted and/or uninvited exposure to pornography, texts, images, and so on, the sharing of images, texts and so on, demands for sexualised photographs etc.).
Sexual exploitation	Any actual or attempted abuse of a position of vulnerability, differential power, trust, or dependency, for sexual or sexualised purposes. This includes the offer or promise of monetary, social, political benefits as an incentive or form of coercion.

3.3 Do’s and Don’ts

(a) Two-adult rule

The “two-adult” rule, wherein two or more adults will supervise and be present for all activities where children are involved, should be followed as best practice. Adults should not be alone with children in an isolated place, out of sight.

However, in certain circumstances where the two-adult rule cannot be implemented:

- (i) When conducting counselling, 1-to-1, and small group activities, doors must be left unlocked, partially open or have a small window in the door to allow for visibility.
- (ii) When taking a child to the toilet, it is recommended to leave the door partially open or inform another worker where you are going if the door must be closed.

(b) Disciplining children

³ ST/SGB/2003/13: UN Secretary-General’s Bulletin on Special measures for protection from sexual exploitation and sexual abuse, 2003

Any form of discipline that is against the Child Act 2001 is prohibited. NECIC has Zero tolerance for any form of violence against the child, including physical restraint and isolation. Corporal punishment, i.e. physical punishment using a cane or any object, is not permitted. Instead, practise using words and role-modelling to guide and motivate positive behaviour. Non-physical punishment for negative behaviours such as withdrawal of playtime, completing extra duties / chores, and/or suspension after careful consideration is allowed.

(c) Respectful touch

Healthy, caring touch is valuable and encouraging to children, but unhealthy touch is abusive. NECIC members need to be aware that we may encounter children who have experienced trauma. It is always advisable to practice the highest level of precaution. Therefore, the following guidelines should apply:

- Touch should always communicate respect for the child.
- Touch should be in response to the needs of the child and not the needs of the worker.
- Touch should be open rather than secretive. For example, a hug in the context of a group is hugely different from a hug behind closed doors.
- Touch should be age-appropriate and generally initiated by the child rather than the worker.
- Inappropriate touch such as kisses, sitting older children on the lap, etc should not be allowed. Carrying the child should only be limited to emergencies.

Note: The Do's and Don'ts also applies to adult persons with disabilities.

4. Training

NECIC will endeavour to raise the awareness of all individuals involved in its programmes on the above-mentioned child-related issues through periodic training materials channelled through our monthly educational materials at least once a year.

This policy will be made available to all NECIC members, representatives, the staff of member organisations, including partners and networks as well as children involved in NECIC activities/programmes including their carers.

4.1 Training for children

To protect children, all children should be given practical training on preventing or avoiding physical and sexual abuse by member organisations. Training will need to be tailored by age.

Training on safeguarding and self-protection measures for children should be **child-friendly and disability-inclusive**. Communication materials and training resources by member organisations should be accessible, such as Braille, transcripts for audio materials, easy-read format for written materials, clear visual representations for images, etc.

Training children to be safe should include but are not limited to:

- Recognising respectful touch and language
- Learning to be assertive
- How to safely disclose abuse and sexual exploitation and where to seek help

Example resources on teaching children self-protection:

- [International Technical Guidance on Sexuality Education](#) (available in English and Chinese) by UNESCO
- [Child Protection Handbook: Teacher Resource Guide](#) by Association of International Schools in Africa
- [Keeping Safe: Child Protection Curriculum](#) by Government of South Australia

4.2 Staff training

All employees and representatives of member organizations are required to complete child protection and prevention of sexual exploitation and abuse (PSEA) training. New staff (including interns and volunteers) should be briefed on Child Protection Policy during orientation, and to complete the PSEA training within two months of starting the work. The content of these training should include but are not limited to:

- Understanding abuse and sexual exploitation
- Responding to allegations of abuse and sexual exploitation
- Preventive measures
- Reporting and investigation procedure
- Referral process and guidelines

Recommended training resources by external institutions include but are not limited to:

- [Prevention of Sexual Exploitation and Abuse Course](#) on UNICEF's Agora platform. This is a self-paced online course which will take approximately 2 hours.
- Child Protection Intervention training by Protect and Save the Children Association (Malaysia)

5. Recruitment and Screening

5.1 Member selection

Organisations and individuals applying for membership in NECIC will be thoroughly evaluated and assessed based on this Child Protection Policy, in addition to the current standards set in the Constitution. The minimum requirement for accepting new member organisations are as follows:

- a. The organisation and its current staff must have no record of child rights violations, especially the abuse or sexual exploitation of children. All members of NECIC are required to adopt the practice of background checks for all its staff members in their organisations.
- b. The organisation **must have a policy in protecting/safeguarding children**. If it still does not have one at the time of application, it must be open to adopting NECIC's Child Protection Policy.

5.2 Staff and Volunteer Recruitment and Screening

NECIC requires anyone expected to have direct contact with children through our services and programmes to adhere to the following:

- Undertake work with children background checks by providing a letter of Clearance from Sexual Offence of the Designated Person that can be obtained from Jabatan Kebajikan Masyarakat.
 - More information and application form on [JKM website](#).
 - An individual application for clearance check requires a copy of an employment letter and identity card (IC).
- In the best interest of children, anyone with past convictions in crimes involving children (i.e. child abuse, paedophilia) is not allowed to volunteer or work with NECIC.
- NECIC reserves the right not to engage any applicants for hire or volunteering if it is revealed during the recruitment process and background checks that the person for any reason is not suitable to work with children. Refer to [Annex B](#) for safe recruitment checklist.
- Sign and commit to our Code of Conduct, Child Protection Policy, and state that there have been no previous convictions for abuse against children, violent behaviour or convictions of any criminal offence.

6. Responses to Allegations: Reporting and Referral

The NECIC Committee can receive and respond to child safeguarding concerns/complaints concerning members. All information regarding allegations of abuse received by NECIC will be kept confidential and safely in a password-protected folder, accessible only by the President, Vice President, Secretary and Executive Assistant.

It is the duty of all members to report to authorities (police or JKM) on confirmed or suspected concerns of child abuse and sexual exploitation of children. All cases received must be treated seriously and must be promptly and effectively addressed. For processes of handling allegations in which victims are not children (above 18 years old), please refer to [Annex F, G and H](#).

6.1 Handling disclosure

All children must be encouraged to inform reliable and safe adults about concerns of any abuse.

When children disclose incidents of abuse and sexual exploitation:

- i. do not blame the child.
- ii. pay attention and listen carefully and calmly. Do not overreact or panic.
- iii. believe the child. Do not sideline her/his feelings.
- iv. **keep the child safe**. Do not confront the alleged perpetrator.
- v. never question or force information from the child. Use alternative communication methods to help the child express their thoughts and feelings.
- vi. do not try to speak entirely on behalf of the child (including children with disabilities).
- vii. record important information (what, who, when, where) in the reporting form (refer to [Annex C](#)).
- viii. inform the parents/guardian immediately. If the abuse involves parents/guardians, report to Child Protection Officer in JKM. In any situation whereby there is immediate danger to the child, call the police.
- ix. keep all information **confidential** and do not share information of the incident without consent of the child and caregiver.

All members of the Committee, staff and volunteers are encouraged to have an openness in discussing issues of abuse within the organisation, but every information shall be kept **confidential**.

6.2 Assistance and Referrals

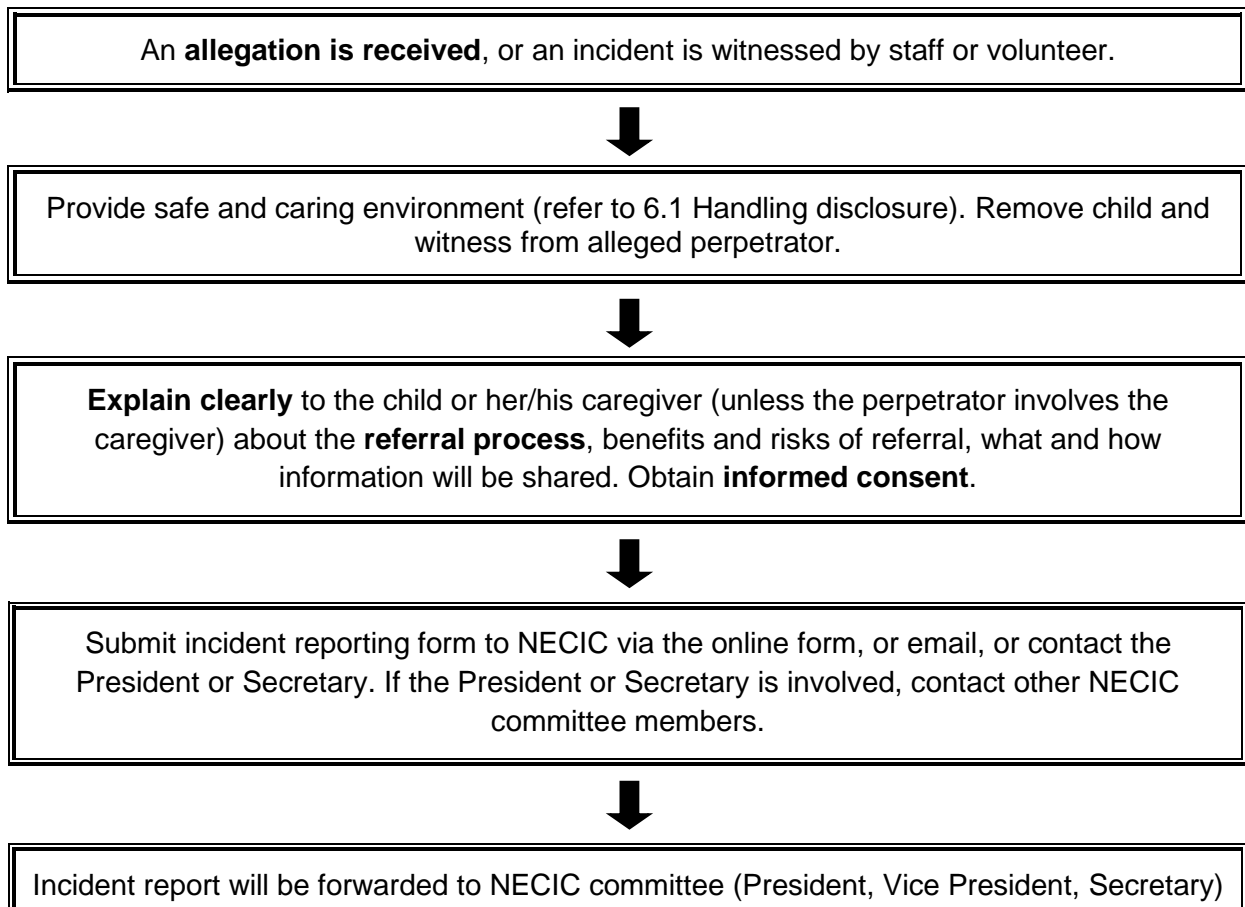
All NECIC members and staff should refer children of abuse and exploitation to relevant service providers to ensure that they receive professional assistance. NECIC member organisations are advised to keep an updated list of local service providers that include but are not limited to:

- Paediatric and medical care providers (e.g. hospitals, health clinics)
- Social workers
- Women and child protection agencies
- Child psychologists and psychiatrists
- Legal assistance services, including legal counselling, legal representation, etc.

Refer to [Annex D](#) for the referral form.

6.3 Process of handling allegations and referrals

Key process and procedures in handling allegations of abuse of children regarding the behaviour of staff, NECIC member organisations and partners:



to deliberate the next steps.

Next steps:

<p>Refer to relevant services with the consent of child and caregiver (unless the perpetrator involves the caregiver).</p> <ul style="list-style-type: none"> • Police: if there is immediate danger to the child • JKM Child Protection Officer: if caregiver is the perpetrator • Medical care: signs of injury, reports of pain, sexual assault – refer immediately to nearest medical care • Counselling or mental health care: signs of emotional and psychological trauma, significant changes in behaviour after abuse • Safe Shelter Home: if personal safety is under immediate threat <p>(accompany child or arrange transport, to access services where applicable)</p>	<p>Report allegations of abuse to authorities for investigation, i.e. police, JKM.</p> <ul style="list-style-type: none"> • Child Act 2001 (Act 611, Section 29) states that a child care provider has the duty to report child abuse. • If incident happened during NECIC activities, notify NECIC committee. • If incident happened under NECIC member organisations, report directly to authorities and forward copies of reports to NECIC (email: enquiries.necic@gmail.com) • If member organisation is uncertain and needs support, they can contact NECIC President or Secretary.
<p>Make available ongoing support for referrals according to needs of survivors</p> <ul style="list-style-type: none"> • Medical and health care • Psychosocial support: counselling or mental health care, social welfare assistance • Access to legal aid services • Safety: shelter, protection 	<p style="text-align: center;">Follow-up action</p> <ul style="list-style-type: none"> • NECIC committee decide on the suspension or termination of alleged perpetrator’s contract or membership. If a staff of Member Organisation is the perpetrator, the organisation’s membership will be suspended until safeguarding measures are implemented. • Follow up on action taken by authorities following investigation. • Improve safeguarding procedures within the organisation.

7. Ramifications of Misconduct

If any staff, individual or organisation associated with NECIC is found to have violated the NECIC's Child Protection Policy or committed criminal acts against children, the following action will be taken immediately:

1. NECIC has the right to suspend the staff or Member Organisation's membership until the complaint has been satisfactorily addressed and changes are made to avoid reoccurrence within a specified timeframe. Failure to do so will result in termination of the staff's employment or the organisation's membership.
2. While being investigated, the personnel involved will be reassigned to work at a place that does not have direct contact with children or persons with disabilities. The personnel under investigation shall be subjected to direct supervision while on duty.
3. Once the criminal activity is confirmed, the staff concerned will be terminated.

8. Communications Concerning Children

In all NECIC communications and publications, the identity and dignity of every child will be protected and preserved. The child's privacy must also be protected so as not to create opportunities for potentially harmful people to identify or contact them. In using images or depicting children, the following guidelines must be carefully observed:

- Obtain the consent of children and their legal guardians before taking and using their images for publicity, fundraising or awareness-raising activities, including publications. Please see [Annex D](#) for "Child and Carer Consent Form for the Use of Photographs and Videos".
- In reports concerning children, encourage children to tell their own stories as much as possible, rather than let others speak on their behalf.
- Protect children's identity by changing their names unless there is expressed preference for using their real name and that security is not a factor.
- Ensure that no personal information about a child (such as location), which could put him/her at risk, should be shared on NECIC members' communication platform or published in NECIC reports/researches.
- Photographs and images of children should not be manipulated. Children in such photos and images should be appropriately clothed and not in sexually provocative poses.
- Third parties requesting the use of NECIC images, recordings and other materials outside of NECIC are required to obtain prior written consent from NECIC. Photographs or recordings taken shall remain the sole property of NECIC and used only for the official purpose of NECIC.
- Ensure that photographs and images include captions that provide proper context to the subject matter.
- Brief any journalist/media person gaining access to children involved in NECIC activities on the NECIC Child Protection Policy.
- The above guidelines apply to all child-related activities managed by NECIC members across all media platforms.

9. Implementation and Review

This policy and its protocols will be reviewed every five (5) years.

10. Declaration of Commitment

To be signed by all Committee members, member organisation representatives, individual members, staff, volunteers, and interns. A copy of the Child Protection Policy will be kept on file in office for records and reference.

Statement of Commitment to Child Protection Policy

I, _____ (insert name of the staff, volunteer, member representative) (NRIC No.: _____) have read and **understood** the standards and guidelines outlined in this Child Protection Policy.

1. I agree with the principles contained herein and accept the importance of implementing child protection policies and practice while associated with NECIC. I have not been accused or convicted of any offence involving any form of abuse or exploitation of children.
2. I agree that I will not, at any time, during my involvement with NECIC or afterwards, make public, divulge or disclose to any person any information regarding operations, the personal affairs of the clients, staff or as to any other matters concerning the organisation, which may come to my knowledge in the course of my association with NECIC.
3. I understand that if a complaint is brought against me regarding the abuse and exploitation of children while engaged by NECIC, the allegation will be thoroughly investigated in cooperation with the appropriate authorities.

Declaration of Criminal Convictions

Have you ever been convicted of a crime or are currently being investigated for a crime?

Yes No

If yes, please provide details of all criminal convictions, including those considered “spent”, and declare any previous investigations or allegations made against you. These will be kept confidential by the designated Child Protection Officer, who will assess whether they pose any risk or not in relation to child protection.

Name of the Staff: _____

Designation: _____

Signature: _____ Date: _____

References

- Association of International Schools in Africa. (2016). *Child Protection Handbook: Teacher Resource Guide*. Retrieved Nov 4, 2020, from <https://www.icmec.org/wp-content/uploads/2017/03/AISA-CP-Handbook-2016.pdf>
- InterAction. (2019). *Course materials for preventing sexual exploitation and abuse*. Retrieved Nov 4, 2020, from <https://www.interaction.org/blog/course-materials-for-preventing-sexual-exploitation-and-abuse/>
- Jabatan Kebajikan Masyarakat (JKM). (2019). *Semakan Pesalah Jenayah Seksual Terhadap Kanak-Kanak Dalam Daftar Kanak-Kanak*. <http://www.jkm.gov.my/jkm/index.php?r=portal/left&id=eTkzQ1FpVTdnenc5QnArMVJwcXVjZz>
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- UNESCO. (2018). *International technical guidance on sexuality education: an evidence-informed approach*. Retrieved Nov 18, 2020, from <https://unesdoc.unesco.org/ark:/48223/pf0000260770>
- UNICEF. (2018). *Prevention of sexual exploitation and abuse (PSEA)*. Retrieved Nov 4, 2020, from <https://agora.unicef.org/course/info.php?id=7380>

Annex A: Code of Conduct

A copy of the Code of Conduct can be obtained from NECIC's website at <http://tiny.cc/NECICcodeConduct>

Annex B: Safe Recruitment Checklist

A copy of the safe recruitment checklist can be obtained from NECIC's website at <http://tiny.cc/NECICcodeConduct>

Annex C: Incident Reporting Form

CONFIDENTIAL: Please restrict access to this document and keep it stored safely.

Date of Report:	Time of Report:	Report number:	
Allegation of Abuse reported by (Full name):			
COMPLAINANT INFORMATION			
Name:			
Gender:		Age:	
Contact:		Language:	
Address:			
Name of caregiver:			
Caregiver's contact:		Relationship with complainant:	
ALLEGED OFFENDER INFORMATION			
Name:			
Relationship with complainant:		Gender:	Age:
Address/Contact:			
DETAILS OF INCIDENT			
Date and time of incident:		Location of incident:	
Type of Allegation:			
<input type="checkbox"/> Physical abuse <input type="checkbox"/> Emotional abuse <input type="checkbox"/> Sexual abuse		<input type="checkbox"/> Sexual harassment/communication <input type="checkbox"/> Sexual exploitation <input type="checkbox"/> Others: _____	
State clearly type of incident with details (such as, quote conversation or words used; describe physical act/pictures/videos/music, telephone conversation, SMS or email used during the incident)			

ACTION TAKEN	
Disciplinary action: <input type="checkbox"/> Termination <input type="checkbox"/> Suspension, until _____	
Referral consent: <input type="checkbox"/> Yes <input type="checkbox"/> No (refer to referral form for details)	

RECORDED BY	
Name:	
Contact (phone, email):	
Title:	Date:

Annex D: Referral Form

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Note: Please share copies of filled out referral forms with the survivor and receiving agency and keep a copy for the organization’s internal records and follow-up.

Referring Agency

Agency/Org:	Contact:
Phone:	Email:
Location:	

Receiving Agency

Agency/Org:	Contact:
Phone:	Email:
Location:	

Survivor Information

Name:		
Phone:	Age:	Gender:
Nationality:	Language:	
Address:		
If survivor is a minor (under 18 years old)		
Name of primary caregiver:		
Phone (caregiver):		
Relationship to child:		
Is child separated or unaccompanied? Yes <input type="checkbox"/> No <input type="checkbox"/>		
Is caregiver informed about referral? Yes <input type="checkbox"/> No <input type="checkbox"/> (If no, please explain)		

Services requested

<input type="checkbox"/> Medical Care	<input type="checkbox"/> Protection services	<input type="checkbox"/> Material assistance
<input type="checkbox"/> Social services	<input type="checkbox"/> Legal Assistance	<input type="checkbox"/> Others, please specify
<input type="checkbox"/> Mental Health Services	<input type="checkbox"/> Shelter	
Please explain any requested services:		

Consent to release information.

(Read with survivor/caregiver and answer any questions before s/he signs below. Sign on behalf of survivor/caregiver if consent is given verbally and survivor/caregiver cannot sign.)

I, _____ (survivor name), understand that the purpose of the referral and of disclosing this information to _____ (name of receiving agency) is to ensure the safety and continuity of care among service providers seeking to serve the client.

The service provider, _____ (name of referring agency), has clearly explained the procedure of the referral to me and has listed the exact information that is to be disclosed. By signing this form, I authorise this exchange of information.

Signature of survivor (or caregiver if a child): _____

Date: _____

Details of Referral

Referral delivered via: <input type="checkbox"/> Phone <input type="checkbox"/> Email <input type="checkbox"/> In-person
Follow-up expected via: <input type="checkbox"/> Phone <input type="checkbox"/> Email <input type="checkbox"/> In-person By date (DD/MM/YYYY):
Information agencies agree to exchange in follow up:

Name and signature of recipient: _____

Date received: _____

Annex E: Consent Form – Photography and Recording

CONFIDENTIAL: Please restrict access to this document and keep it stored safely.

Name of Child: _____

Age of Child: _____

NRIC/Passport number: _____

Name of Parent/Guardian (please circle): _____

Relationship with child: _____

I agree to support the National Early Childhood Intervention Council (NECIC) in its efforts to promote acceptance and rights of children with disabilities.

I give my permission to National Early Childhood Intervention Council to reproduce, disseminate, and display my child’s testimony and image for advocacy and training purposes, in traditional or electronic media format, with the following conditions:

a) Testimony

- Please conceal my child’s identity, please use this nickname: _____
- You can use my child’s full and correct name.

b) Image

- Please conceal my child’s identity.
- You can show my child’s face.

I affirm that my child and I have been fully briefed about and are clear about the purposes of the project/activity: _____

I affirm that I have the full authority to give consent provided for in this document.

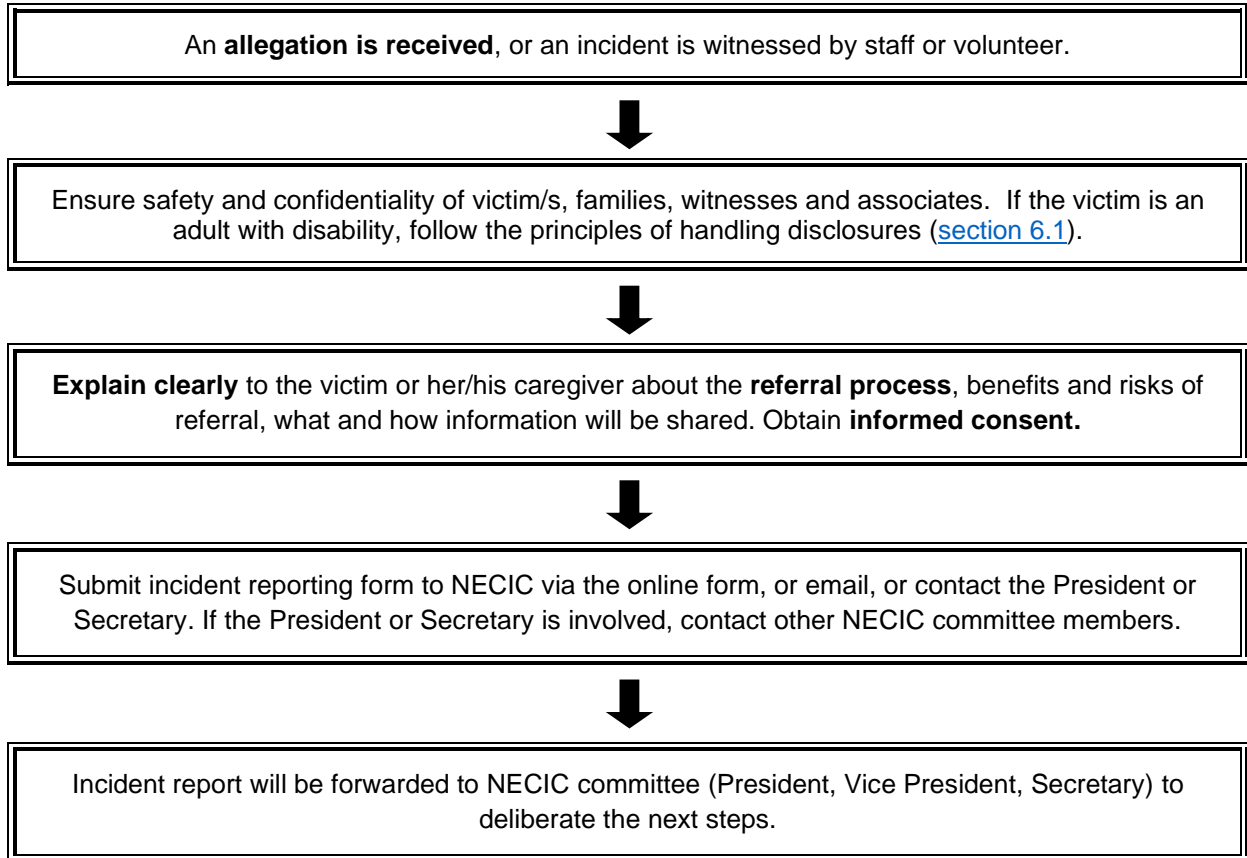
Name of parent:		Name of child:	
Signature:		Signature:	
Date:		Date:	

*Note: If the child is above 7 years old, please sign this consent form.

Annex F: Responses to allegations (victims who are not children)

NECIC beneficiaries also include adults with disabilities (above 18 years old), family members (including parents and siblings) and caregivers of children with disabilities.

The following flowchart describes key process and procedures in handling allegations from **adult victims** (persons with disabilities, caregivers, staff and volunteers above 18 years old) regarding the behaviour of NECIC committee, staff, members and partners. Principles of effective reporting apply, i.e. safety, confidentiality, transparency, and accessibility.



Next steps:

Refer to relevant services with the consent of the victim or caregiver (unless the perpetrator involves the caregiver).	If there is a breach of NECIC’s Child Protection Policy or Code of Conduct, or criminal conduct
<ul style="list-style-type: none"> • Police: if there are immediate safety and security risks to the victim and others • Medical care: signs of injury, reports of pain, sexual assault - refer immediately to nearest medical care • Counselling or mental health care: signs of emotional and psychological trauma, significant changes in behaviour after abuse • Safe shelter home: if personal safety is under immediate threat 	<ul style="list-style-type: none"> A. No breach: No further action B. Breach of Child Protection Policy or Code of Conduct <ul style="list-style-type: none"> • Appoint an external investigation team that has no conflict of interest with the alleged perpetrator or victim (Refer to Annex G for Terms of Reference) • During the investigation, a plan of action should be in place to ensure the safety, confidentiality and security of the survivors, witnesses and the organization (refer to

<ul style="list-style-type: none"> • Legal assistance: if victim wants to pursue legal action. (accompany victim or arrange transport to access services where applicable) 	<p>Annex H for risk assessment and management matrix). The plan of action should ensure confidentiality of the alleged perpetrator.</p> <p>C. Criminal conduct</p> <ul style="list-style-type: none"> • Report to authorities
<p>Make available ongoing support for referrals according to needs of survivors</p>	<p>Follow-up action</p>
<ul style="list-style-type: none"> • Medical and health care • Psychosocial support: counselling or mental health care, social welfare assistance • Access to legal aid services • Safety: shelter, protection 	<ul style="list-style-type: none"> • NECIC committee decide on the suspension or termination of alleged perpetrator's contract or membership. • Follow up on conclusion from investigation. • Improve safeguarding procedures within the organisation.

Annex G: Terms of Reference for Investigator of SEA Allegations

(Note: this section refers to investigation related to adult victims)

Purpose of Investigation

The purpose of an investigation is to conduct a thorough, objective and effective investigation on an allegation of sexual exploitation and abuse. Specific objectives include:

- Gather evidence and establish the facts of a particular case in order to be able to prove or disprove the allegation.
- Assess whether the allegations breached the Child Protection Policy or Code of Conduct, and possibly, a criminal offence under national law.
- Present a summary of the evidence and conclusions.

Investigation Report

The investigation report should include:

1. Executive Summary
2. Allegations (i.e. listing all allegations; names of the organization's policies/code of conduct and laws potentially violated)
3. Methodology of investigation (e.g. interviews, review of documents, site visits, etc.)
4. Chronology of events
5. Analysis of evidence
6. Retaliation and protection risks (and steps taken to address them)
7. Analysis of adequacy of organization's response to allegation
8. Conclusions regarding evidence to substantiate or not the allegation(s)
9. Recommendations (including areas of improvement for the organization's response to prevention of sexual exploitation and abuse)

Investigators

During the investigation process, the investigating team should uphold the core principles of safety, confidentiality, impartiality, objectivity, timeliness, accessibility, and transparency. Requirements for choosing and appointing investigators are as below:

- Experienced, reliable professional investigator with experience in dealing with highly sensitive cases.
- Trained in conducting interviews, including with children and people who experienced trauma.
- Have no conflict of interest with alleged perpetrator or victim(s).

Ideally two external investigators will work on every investigation. If only one investigator is available, appoint an independent observer to sit in on interviews and provide the investigator with feedback and support. It is also helpful to have a gender balance to accommodate requests and sensitivity when interviewing witnesses. Each member of the investigating team should sign a confidentiality agreement.

Annex H: Risk Assessment and Management Action Plan Template

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Risk Assessment				Risk Management		
No.	Who is at risk?	Identified risk(s)	Likelihood of risk (high/medium/low)	Previous measures to manage risks to date	Additional Mitigation Measures	By whom and by when?