

# RugMark International eV

## RugMark International (RMI) Policy

### Child Protection

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**24.03.09**

**Superseded Previous Versions:**

**not applicable**

**Period for stakeholders' comments and inquiries on this version:**

**30.05.09**

**Contact for Comments:**

[Cyndi@rugmark.org](mailto:Cyndi@rugmark.org)

**For further information and standards downloads:**

[www.rugmark.net](http://www.rugmark.net)

## Section 1 - Introduction

### 1.1 Organizational Intent

RugMark International e.V. (hereafter referred to as “RMI”) is a nonprofit organization working to end exploitive child labor and unsustainable practices in the carpet industry and offer educational opportunities to children and support to communities affected by exploitive practices within the carpet industry.

- RMI uses the marketplace to improve social and environmental practices in the carpet industry.
- RMI is interested in “sustaining sustainable industries”—we do not want to drive the carpet industry out of the areas where we work, we want to create a more sustainable industry than exists today.
- RMI recognizes that solving child labor is a more complex issue than child-labor itself.
- RMI is working to create a marketplace for child-free carpets by removing children from the looms and addressing a broader set of social issues such as living wage, working conditions, environmental practices, etc.

### 1.2 Basis of RMI’s Policy

RMI’s Child Protection Policy (CPP) is based on the UN Convention on the Rights of the Child and the best interests of children, and in drafting this policy, reference has been made to the Child Protection Policies of Anti-Slavery International and Camfed.

### 1.3 Entry into Effect

This policy will enter into effect on June 1, 2009 pursuant to a 60 day public comment period which commenced April 1, 2009.

### 1.4 Individuals Governed by this Policy

This code applies to all employees, board members, volunteers, consultants and the staff of RMI’s partner NGOs (hereafter referred to as “Representatives” of RMI), especially those working directly with children and when traveling overseas. Failure to comply with this policy constitutes gross misconduct within the terms of the contract of employment or relationship.

### 1.5 Application of this Policy

The protection of children from all forms of abuse is of prime importance to RMI and is considered both an organizational and individual responsibility. Everyone who works for RMI or its partner organizations must take all possible precautions to protect the children with whom they come into contact. The key ethical consideration for RMI representatives in working with children is 'do no harm'.

This policy must be implemented in each of RMI’s countries of operation, and must be translated into the local language. The principal document for reference will be the English version.

This policy, its reporting requirements, and any national level procedures for implementation of this policy are primarily intended to be a conduct policy for employees and representatives of RMI. RMI recognizes that representatives may in their work observe abuse of children. The level of intervention that may be appropriate in such situations will be a matter of judgment, but will be guided by these principles.

This policy and the concepts expressed in this policy are central to RMI's mission and RMI has incorporated it in the governance, structure, strategy, and everyday operations of the organization.

### **1.6 Those Protected by this Policy**

This policy is meant to protect children under 18 years of age as defined by UN Convention on the Rights of the Child, but RMI intends that its employees and agents would also apply this policy and its intent to adults who may be vulnerable to exploitation because of disability, economic dependence or cultural constraints whenever necessary.

### **1.7 Review of Policy**

The RMI Members Council will review this policy at least every three years.

## **Section 2 – RMI Code of Practice for Child Protection**

### **2.1 Application**

The following Code of Practice is designed to protect children, but is also intended to protect adults from false accusations of inappropriate conduct or abuse. All RMI representatives should be aware that they have a duty to act in accordance with this policy.

### **2.2 Definition of Abuse**

The World Health Organization has defined child abuse as “any form of physical, emotional or sexual mistreatment or lack of care that results in actual or potential harm to the child’s physical, psychological or emotional health, development, dignity or well-being in the context of a relationship of responsibility, trust or power.”

Child abuse can be categorized under four main forms, namely:

- 1) Physical abuse is the actual or likely physical injury to a child or failure to prevent physical injury or suffering to a child.
- 2) Sexual abuse is the actual or likely sexual exploitation of a child or young person. It includes direct or indirect sexual exploitation of children by involving them (or threatening to involve them) in sexual activities.
- 3) Emotional abuse is the actual or likely adverse effect on the emotional or behavioral development of a child caused by repeatedly rejecting and humiliating them or denying their worth and rights as human beings.
- 4) Neglect is the persistent lack of care of children including safety, warmth and medical attention.

The goal of this policy is to prevent all forms of child abuse.

## 2.3 Contact with Children

RMI recognizes that many of its representatives are often in contact, either directly or indirectly, with children and vulnerable adults as they carry out their day-to-day duties and representatives may have access to information about children. RMI national offices and representatives should work to minimize the amount of direct and indirect contact with children and vulnerable adults and the number of individuals who have direct and indirect contact with children.

RMI defines direct contact as being in the physical presence of a child or children while performing work on behalf of RMI. This includes, but is not limited to, visits to looms or schools, inspections, transporting, attending any event or gathering where children are present, and includes correspondence with children and young people.

Indirect contact is defined as having access to information on children in the context of any form of RMI operations such as children's names, locations, addresses, or photographs and case studies.

## 2.4 Abuse Prevention and Awareness

### 2.4.1 Recruitment of Employees, Volunteers, Consultants

Each national office or representative will identify all potential positions and roles with RMI in which direct or unsupervised contact with children is possible or likely and ensure that extra care is taken in dealing with applications for such posts. RMI and the national offices are obligated to thoroughly vet candidates on the issue of child protection by means that may include:

- Candidates being asked to describe their previous experience of working with children;
- Candidates providing at least two (2) references who can comment on their work with children, providing a self-declaration form about criminal convictions and completing a thorough review of criminal history and other issues that would raise concern;
- Questioning of candidates during the interview process to determine suitability to work with children and/or young women;
- Conducting criminal background checks on all prospective employees;
- Holding briefings on child protection issues and RMI policies with new employees, volunteers and members of committees upon their recruitment and induction into the organization.

RMI and its national offices have the right and the obligation to completely exclude those individuals with a record of sexual offenses or other forms of child endangerment from employment or any role within the organization.

### 2.4.2 Child Protection and RMI Partners

RMI has a legal and moral obligation to ensure that individuals and agencies contracted to provide a service which may involve direct or indirect contact with children are aware of, and abide by, the RMI Child Protection Policy.

RMI works with and through partners<sup>1</sup> (organizations with whom we have an active relationship) in several countries. Translating Child Protection Policies across different contexts and cultures can be

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<sup>1</sup> Partner. For the purposes of this policy a partner is:

difficult. However, despite varying legal and cultural frameworks, RMI is committed to ensuring that the protection of children is paramount in our work, and in the work of our partners. RMI recognizes that to be effective, Child Protection Policies need to be instigated and implemented by local organizations, rather than imposed. RMI is committed to providing partners support and assistance with this process.

RMI will ask new and existing partners what measures they have in place for the protection of children, and (where they are not already doing so) will encourage them to address child protection issues in their organization and in the communities in which they work. RMI will work with partners to develop Child Protection Policies. All partners will be made aware of the provisions of this code and asked to confirm their agreement with the principles contained in this policy, and to accept the importance of implementing Child Protection Policies.

Representatives of RMI, in the course of their work, should support partners in their efforts to increase their awareness, knowledge and skills in relation to child protection issues. Since many partners have significant expertise in this area, RMI employees and representatives should also be receptive to learning from the experience of partners on these issues.

#### 2.4.3 Partnerships with Schools and Rehabilitation Facilities

All partnership agreements between schools or rehabilitation facilities and RMI or a national office will include a requirement to implement RMI's Child Protection and Rehabilitation Policies and procedures. The agreement will make clear RMI's position and approach to working with children. The proposed response to any instances of abuse should be clearly set forth.

#### 2.4.4 Monitoring, Research or Other Visits to Schools or to the Field that Involve Meeting with Children or Young People

To safeguard children, when employees and/or representatives conduct monitoring or other visits for RMI programs, it is imperative that:

- Planning of such visits ensures an awareness of all involved of child protection issues and the employee or representative's responsibilities should they witness or receive information on an alleged abuse;
- Before such monitoring, research or other visit is conducted, prior and, where possible, ample notice is given to schools, community leaders and local authorities;
- There is a clear agenda of what the research, monitoring or visit seeks to achieve;
- Where necessary, compliance with relevant legislation shall be secured prior to the visit;
- Such visits are conducted by more than one individual.

#### 2.4.5 Accommodations for Children in RMI Partner Boarding Schools or Similar Premises

RMI and the national offices provide social services to children and young people. Many of these programs involve long or short term lodging. In such cases it shall be ensured that:

- Boys and girls have separate accommodations;

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a) An organization that receives funding from RMI, either long or short term, project or core costs, regardless of the amount involved.

b) An organization involved in project work with RMI, whether the work is long or short term, regular or one-off, and regardless of whether funding is involved.

- The young people are supervised by a same-sex person designated for their protection;
- That the supervisor is trained in child protection;
- The premises are safe and secure and do not compromise the welfare of children;
- Clear rules are in place regarding visitors to the premises;
- Where the premises are operated by organizations other than RMI, an agreement is in place for management of the premises consistent with RMI's Child Protection and Rehabilitation Policies.

## **2.5 Communications and Media Guidelines**

Stories of individual children rescued by RMI are a key component in the effort to end child labor. Gathering and publication of images, video footage and text referring to children must be done in a way which respects each child's dignity and identity. The practice described is intended to ensure that the rights of children, and vulnerable adults, are respected while allowing RMI to report on its work using stories, photographs and video.

RMI employees and representatives will strive to:

- Portray children as realistically as possible, in their own context, without being overly sensational or overly positive, and without portraying children as victims;
- Represent the diversity of children in the areas where RMI works and take care to give children's perspectives due weight;
- Be aware that some children may need extra protection when communicating their stories (for example, those who have been subject to sexual abuse);
- Ensure that children and their legal guardians are fully informed of any potential risks and made aware of their rights so that they can make informed decisions about sharing their story;
- Ensure that participants see how their story is used in RMI materials;
- Empower children through telling their story.

### 2.5.1 Consent

Wherever possible, as well as gaining consent from the child, RMI or the national office shall acquire verbal or written consent from the child's parents, the child's school or whomever is acting in the place of parents to use images and stories for external communication. (This may not always be possible when dealing with crowd shots.) No payment or reward shall be given in order to gain consent. Additionally, there must be no payment to minors for material involving the welfare of children nor payment to parents or guardians (including schools and partner organizations) for material about their children or wards unless it is demonstrably in the child's interest.

### 2.5.2. Confidentiality

While it is extremely important to publish real stories and photographs for the sake of authenticity and transparency, RMI shall strive to protect the identity of children on two fronts:

- a) To avoid the exploitation of images and stories by those who may wish to misuse them; and
- b) To protect children from being stigmatized or mistreated in their own communities as a result of any publicity arising from the interview or subsequent publication of photographs or images.

For the above reasons, RMI does not use a child's family name in external communications. However, in most cases, it is acceptable to use a child's first name and location name alongside a photograph and story. These guidelines also apply to vulnerable adults and any young people still at school.

### 2.5.3 Interviewing Children

All interviews with children should be conducted with extra care and sensitivity to the child's welfare and safety. Children's cultural values, interests and priorities should be honored and child-friendly language should be used. Information should be shared with the interviewee in a transparent way.

Care should be taken so that children are free to express their feelings about the assistance given to them so that RMI's partnership with communities is reinforced by the respect and protection RMI accords the child. Questions that are overly intrusive will not be allowed.

### 2.5.4. Visitors to RMI Programs

Visitors to RMI programs shall present their reasons for visiting beneficiaries. Visitors will only be permitted to meet with children after their agenda has been approved. On arrival, visitors must be given 'RMI's Guidelines for Involving Children in Advocacy' (Appendix 1) and 'Visitors Protocol' (Appendix 2). Visitors must sign a written statement that they will adhere to the conditions set forth in each.

Visitors will be accompanied by a member of the RMI staff at all times in their interaction with children and vulnerable adults, who can intervene in or halt an interview at any time.

## **2.6 Implementation and Monitoring of the Policy**

The RMI Members Council has overall responsibility to ensure that the Child Protection Policy is implemented and will monitor RMI's commitment to child protection through a review process to be held at least once every three (3) years.

## **2.7 National Level Implementation of the Policy**

### 2.7.1 Procedures for Implementation

National country offices, as a requirement of RMI membership, must develop national procedures for implementing this policy to ensure conformity to national laws and customs. RMI's Child Protection Policy can be used as a model and appendix documents will be created over time to further inform national office policy development.

### 2.7.2 Appointment of a Child Protection Designated Official

There shall be a designated person responsible for the implementation, supervision and monitoring of the Child Protection Policy at the country level.

National office Executive Directors or Program Leads will ensure that the Child Protection Designate has received training on child protection, is aware of local laws applying to child protection and has information on national child protection agencies.

It shall be the duty of the designated person to:

- Provide information and advice on child protection within the organization;
- Ensure that RMI's policy and procedures are followed and particularly inform child protection authorities of relevant concerns about children;
- Be familiar with local procedures;
- Interact with police, social or child welfare agencies and other agencies as appropriate;

- Keep relevant people within the organization informed about any action taken and further action required;
- Maintain an individual case record of action taken by the organization, liaisons with other agencies and outcome under confidential cover;
- Design a reporting format that is user-friendly;
- Advise the organization of child protection training needs.

The Child Protection Designate shall be solely responsible for coordinating action within the organization and for interacting with health, social welfare, police and other agencies about suspected or actual cases of child abuse.

## **Section 3 - Code of Employee and Representative Behavior**

### **3.1 All RMI Employees and Representatives in Contact with Children Shall:**

- Never place a child at risk of abuse through actions or words;
- Treat everyone with respect, recognizing their right to personal privacy;
- Plan and organize events involving children in such a way that risks are minimized and, if it is a residential event, ensure that adults and children have separate sleeping accommodations;
- Ask for permission from parents, guardians or school authorities before taking photographs;
- Foster a culture of mutual accountability so that potentially abusive behavior can be challenged;
- Help children to develop their own sense of their rights as well as helping them to know what they can do if they feel that there is a problem.

### **3.2 Employees and Representatives Who Come into Contact with Children Should:**

- Empower children by promoting their rights and raising awareness;
- Ensure that field visits, studies and programs affecting children are in the best interests of the children concerned;
- Consult with children, to the extent feasible, in the planning, implementation and evaluation of field visits, studies and programs that affect them;
- Avoid, where possible, spending time alone with children, in particular individual children, or in an informal or isolated setting. Activities should be planned so that more than one person is present or, at least, other people are within sight or hearing, or close proximity;
- Avoid being drawn into inappropriate attention-seeking behavior such as tantrums or crushes and avoid showing favoritism to any individual child.

### **3.3 Employees and Representatives Must Not, Under Any Circumstances:**

- Develop sexual relationships with children or vulnerable adults;
- Develop inappropriate relationships with children or spend excessive time alone with a child away from others;
- Behave in a way or use language that is discriminatory on the grounds of race, culture, age, gender, disability, religion, sexuality or political persuasion;
- Use language, make suggestions or offer advice which is inappropriate, offensive or abusive;
- Condone, or participate in, behavior which is illegal, unsafe or abusive;
- Act in ways intended to shame, humiliate, belittle or degrade children;
- Employ any children in their private homes;

- Withhold identity papers, passports or similar items against the will of any child who has reached the age of majority.

## **Section 4 - Reporting and Reacting to Allegations of Suspected Child Abuse**

The following procedure will be followed for reporting and reacting to any witnessed, suspected or alleged incident of child abuse or violation of the Child Protection Policy by an employee, consultant, or representative. The guiding principle in responding to any concerns around child protection is that the safety and welfare of the child should always come first. No child should be put at more risk by any action that may be taken. The following factors will be of consideration:

- Are others aware of the abuse (i.e. a local partner may be working on this issue)?
- Will intervention help the child?
- Is there any meaningful intervention the RMI representative can make?
- Will intervention put the RMI representative or others, at risk?
- To what extent does RMI have control over the circumstances which the child is in?

If any person has concerns about any aspect of RMI or its representatives' work with children, they should address their concerns to the local Child Protection Designate or to RMI's Members Council.

### **4.1 If You Witness, Suspect or a Disclosure is made to you about a Case of Child Abuse:**

- Stay calm so as not to frighten the young person.
- Accept what the child or young person has to say and reassure them that they have done the right thing by telling you.
- Do not confront or challenge the alleged person directly.
- Do not investigate or inform the parents or guardians of the child.
- If you have to ask questions, keep them to a minimum so that there is a clear and accurate understanding of what has been said. The law is very strict and child abuse cases have been dismissed where it is felt that the child has been led or ideas have been suggested during the questioning.
- Let the child or young person know what you are going to do next and that you will let them know what happens.
- Do not promise confidentiality, but that you will inform people who need to know.
- Safety of the child should always be considered to be paramount. If urgent action is required in order to protect the child then it may be made prior to the reporting procedure. For example, if the child needs urgent medical attention, make arrangements to get the child to the nearest health facility and inform the medical personnel of your concerns. Make them aware that there is a child protection issue.
- Record all concerns relating to the case. Include the date and time of your conversation and any incident disclosed.
- Report as soon as possible to the local Child Protection Designate who will assess the situation in consultation with RMI and advise on further steps that may need to be taken.
- Recognize that at this stage any reported or suspected abuse is an allegation rather than proved.

All concerns and allegations about abuse, even when there is doubt, must be referred to the Child Protection Designate.

## **4.2 If Allegations are Made Against You:**

- Inform the local Child Protection Designate immediately.
- Record all details as you know them and send to the Child Protection Designate or national office director.

## **4.3 Concerns Outside of RMI Business**

Any person having any child abuse concerns from outside the immediate RMI activities should:

- Contact local child protection agencies and/or the police. The police and relevant child protection agencies will decide how to handle the matter.
- Also report the incident to the Child Protection Designate who shall ascertain whether or not the person/s involved in the incident play any role in the organization and act accordingly.
- Maintain confidentiality on a need-to-know basis.

## **4.4 Confidentiality**

Any information offered in confidence to a RMI employee or representative is received on the basis that it will be shared with people in relevant authority. This will be, first, the Child Protection Designate, but may include statutory agencies (e.g. police or social welfare). Apart from this, careful confidentiality will be observed.

Any recorded information must be kept confidential and should be passed on to the respective national office Executive Director. Sharing of information, which could identify a child or an alleged perpetrator, should be purely on a need-to-know basis.

All information, including that contained in correspondence or reports from the field, shall be kept under lock and key in a secure place with limited access to designated people. It should not under any circumstances be available for wider viewing.

The national office Executive Director or country manager, together with RMI, will look at the allegations and gather evidence, determine what action to take and how, and who should be informed.

In certain instances, there may be an obligation for employees and representatives to report concerns to the appropriate external bodies. This will usually occur as a consequence of the reporting procedure to the Child Protection Designate.

## **4.5 Management Responsibilities**

An alleged perpetrator of abuse will be immediately suspended from their normal relationship with RugMark pending investigation. It should be made clear that suspension does not imply guilt but is necessary to protect both parties while undertaking investigation.

In deciding the appropriate course of action, the Child Protection Designate may report and follow up cases in relation to:

- A member of the public service – to their line manager or head of department and/or police;
- A member of the public – to the police community liaison officers.

In deciding the appropriate course of action, subject to conditions of employment, codes of practice and local law, proven child abuse will lead to:

- In the case an employee: classified as gross misconduct leading to summary dismissal;
- In the case of a contractor or consultant: termination of their contract;
- In the case of a representative: termination of their relationship with RMI;
- In the case of a board member: removal from the board and termination of their relationship with RMI.

The person may be subjected to criminal prosecution under local laws in addition to other disciplinary procedures by their employer. All cases will be considered on an individual basis and arrangements will be put in place to provide support to those affected during and following an allegation.

#### **4.6 Working with the Aftermath**

After a suspicion or allegation about a child protection issue has been investigated, there are likely to be strong feelings among employees, parents, children and/or the community which will need to be addressed. There are likely to be issues of:

- Communication – if rumor or fact;
- Guilt and blame – if suspicions had been around for some time;
- Impact – on individual, on the nature of what occurred and to whom;
- Gaps in the organization in terms of roles and position held.

Careful thought will need to be given to the sharing and provision of appropriate information.

Only the Child Protection Designate or national office Director should handle any media inquiries, as set out in the national procedures for implementation of the RMI Child Protection Policy.

## Appendix 1 - Guidelines for Involving Children in Advocacy

The following are guidelines to RMI staff, representatives, partners and volunteers in organizing events or activities involving children.

### 1. The key ethical rule when involving children in advocacy is ‘do no harm’. The best interests of the child are paramount. This means:

- Protect children from any additional risks;
- Respect children’s dignity;
- Ask children’s permission to use their stories, pictures or participation (not just the permission of adults, even if they are parents);
- Explain and seek permission, as far as is possible, for the way in which these materials will be used (eg for fundraising, campaigning, abroad or in country);
- Try to ensure that children fully understand the nature and consequences of giving permission, and that the consent they give is informed. This means assessing whether the child is in a position to understand, and has understood, the nature and consequences of what is being asked;
- Respect children’s decisions if they refuse to be interviewed or photographed;
- Use the best possible information; i.e., that is accurate, not distorting, respectful and truthful;
- Do not use negative, degrading or stigmatizing images of children, either in pictures or in words;
- Do not identify individual children or groups of children unless they have given their permission and you can be sure that they will be protected from further exploitation;
- Do not exaggerate, or use unnecessarily emotional language;
- Do not make promises to children that you cannot keep;
- Do not raise expectations you cannot fulfill.

### 2. Remember the dangers

In involving children in advocacy we have to avoid the real possibility that children are harmed through their participation. The following are examples of the ways that participation can negatively affect children:

- Adults may exact retribution for the child speaking out. For example, employers may dismiss or physically abuse a child worker who is identified in an article or photograph;
- Individual children may feel ashamed about having their stories or photographs used to illustrate articles about them as victims. Children can be stigmatized by stories about them that suggest they are all sexually abused, or that they come from poor families;
- Children are given unrealistic expectations of how their situation might improve as a result of their advocacy, and feel let down as a result;
- Stereotypes that should be challenged may inadvertently be reinforced; avoid this.

## Appendix 2 – Protocol for Visitors to RMI Children’s Programs

Thank you for your interest in RMI’s Children’s Programs. The safety of children involved in these programs is paramount to RMI and as such visitors are expected to take special measures while interacting with Program participants.

### **Visitors Sign In**

Visitors to any RMI Program must sign a visitors log kept by the Program Administration, noting name, time of arrival, and reason for being on the premises. Visitors should similarly sign out upon their departure.

### **Visitor Accompaniment**

Visitors will be accompanied by a member of the RMI staff at all times in their interaction with children and vulnerable adults, who can intervene in or halt an interview at any time.

### **Adherence to the RMI Child Protection Policy**

RMI has developed a Child Protection Policy to guard the rights and safety of children. As a visitor to RMI’s programs you agree to abide by the same code of conduct as summarized below.

#### **All RMI Visitors in Contact with Children Shall:**

- Never place a child at risk of abuse through actions or words;
- Treat everyone with respect, recognizing their right to personal privacy;
- Plan and organize events involving children in such a way that risks are minimized and, if it is a residential event, ensure that adults and children have separate sleeping accommodations;
- Ask for permission from parents, guardians or school authorities before taking photographs;
- Foster a culture of mutual accountability so that potentially abusive behavior can be challenged;
- Help children to develop their own sense of their rights as well as helping them to know what they can do if they feel that there is a problem.

#### **Visitors Who Come into Contact with Children Should:**

- Empower children by promoting their rights and raising awareness;
- Ensure that field visits, studies and programs affecting children are in the best interests of the children concerned;
- Consult with children, to the extent feasible, in the planning, implementation and evaluation of field visits, studies and programs that affect them;
- Avoid, where possible, spending time alone with children, in particular individual children, or in an informal or isolated setting. Activities should be planned so that more than one person is present or, at least, other people are within sight or hearing, or close proximity;
- Avoid being drawn into inappropriate attention-seeking behavior such as tantrums or crushes and avoid showing favoritism to any individual child.

#### **Visitors Must Not, Under Any Circumstances:**

- Develop sexual relationships with children or vulnerable adults;
- Develop inappropriate relationships with children or spend excessive time alone with a child away from others;

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- Behave in a way or use language that is discriminatory on the grounds of race, culture, age, gender, disability, religion, sexuality or political persuasion;
- Use language, make suggestions or offer advice which is inappropriate, offensive or abusive;
- Condone, or participate in, behavior which is illegal, unsafe or abusive;
- Act in ways intended to shame, humiliate, belittle or degrade children;
-