



Safeguarding Policy

POLICY NO.

006

Centre de Recherche sur l'Anti-Corruption (CERC)

CERC policies and procedures

Adopted on 19 January 2018



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Summary

Work that aims to enable pupils under the age of 18 to hold the government and public institutions to account carries many risks of infringing children's rights.



For this reason, the Centre de Recherche sur l'Anti-Corruption ("CERC") is committed to being aware of all the risks faced by children, seeking ways to mitigate them and to keep children out of harm's way.

This policy aims to safeguard and promote the rights, safety and dignity of children, boys and girls, without any discrimination, at every level of the work carried out by CERC in the Democratic Republic of the Congo.

By adopting this child protection policy, CERC seeks to make informed decisions, to prevent harm to the organisation, its staff and its partners, and to maintain a positive reputation as a leader in youth engagement in the fight against corruption and the promotion of integrity in the Democratic Republic of the Congo.

It sets out the various measures for children's safety that are in force within CERC, together with the core values and the implementation procedures for this policy.

In addition, the annex contains the tools needed to understand this policy and to write an incident and investigation report, as well as tools on the consent of the parents and children involved in CERC's work.

The measures set out for children's safety cover aspects that directly concern the personnel associated with CERC (by associated personnel, CERC means all employees, consultants, volunteers, partners, members of its management and governance, and interns) as much as aspects relating to child protection.

These measures cover staff recruitment, staff awareness and training, the application of the code of ethics, the development and use of a reporting and referral mechanism, and access by external parties (donors, media and other NGOs) to personal information about children, as well as communications.

To complement these procedures, specific responsibilities have been assigned to staff members in the event of suspicions, complaints or non-compliance with this policy.

CERC is therefore convinced that the application of this policy by its team and its partners will make it possible to safeguard and promote the rights, safety and dignity of children, boys and girls, in an exemplary way. To this end, a staff member will be designated as the child protection officer within CERC and will work closely with all stakeholders in the course of the organisation's activities.

Introduction

In order to fulfil its mission "to eradicate corruption, abuse of power and financial embezzlement in the Democratic Republic of the Congo", the Centre de Recherche sur l'Anti-Corruption has put in place several policies and procedures, including the **gender equality and social inclusion policy**, the **anti-corruption policy**, the **whistleblowing policy**, the **risk management policy** and the **staff management manual**. These direct and guide the organisation's ways of working and set out the individual and collective conduct expected of every staff member and partner of the Centre de Recherche sur l'Anti-Corruption.

It is CERC's responsibility to safeguard and promote the well-being of all children, without any discrimination, in its actions and in the fulfilment of its mission. The purpose of this policy is therefore to set out how CERC intends to ensure the safety of boys and girls by creating a safe and positive environment.

It is not a child protection programme. It is a framework that must clearly govern the conduct and actions of CERC's staff and partners, so that they work efficiently and safely for children, staff and the organisation.

The Centre de Recherche sur l'Anti-Corruption considers that it is in no way acceptable or justifiable for any child, whatever their sex, to be subjected to inhuman and degrading treatment, abuse of their rights, exploitation, torture, violence or neglect in any form whatsoever. This policy is therefore designed to ensure that no CERC staff member or partner behaves in such a way towards a child, or in a way that could be interpreted as such by children themselves, their families or third parties.

Core values, mission and principles

CERC's mission is "to eradicate corruption, abuse of power and financial embezzlement in the Democratic Republic of the Congo". Accordingly, CERC is committed to respecting international conventions, the laws of the Democratic Republic of the Congo and the national laws of the countries it is called upon to visit.

At the same time, CERC requires its staff and partners to be sensitive to and respect local customs and traditions. However, where national laws or local customs and traditions conflict with the rights set out in the United Nations Convention on the Rights of the Child (1989) and its three optional protocols, the African Charter on the Rights and Welfare of the Child (1990), the Universal Declaration of Human Rights (1948), the International Covenant on Economic, Social and Cultural Rights (1966) or the International Covenant on Civil and Political Rights (1966), these international and regional instruments prevail everywhere and at all times.

CERC's values rest on the conviction that girls and boys are full rights-holders, and that they have specific rights which everyone is bound to respect, everywhere and at all times.

CERC recognises that:

- children have the right to live free from all forms of violence, injury or physical or mental abuse, abandonment or neglect, maltreatment or exploitation, including sexual and gender-based violence, while in the care of their parents or one of them, their legal representative or representatives or any other person to whom they are entrusted, as set out in the Convention on the Rights of the Child;
- the responsibility of CERC's staff and partners is to protect and promote the well-being of children and full respect for their rights;
- children are individuals with their own opinions, voices, wishes and feelings, which must be taken into account;
- the best interests of the child must always be taken into account in the decisions of CERC's staff and partners;
- all children have the right to flourish and develop fully, at their own pace, including children living with disabilities and those from ethnic or religious minorities, whatever their sex, sexual orientation and cultural background;
- child protection can only truly exist when it is a responsibility fully and wholly shared by everyone; CERC's staff and partners must feel responsible and accountable for the protection of children through the various forms of collaboration and accountability.

To make this protection a reality in CERC's actions, vision and mission, staff, the children concerned and partners must be able to access the necessary information and develop the skills required to uphold this policy.

Measures for the protection of children

1

Recruitment, employment and internships

CERC ensures that all employment and service contracts it enters into (staff, consultancy, partnership, internship) clearly explain the general and specific child protection responsibilities of the persons engaged.

Before it is concluded, every recruitment process conducted by CERC must include a careful review of the application, a personal interview and reference checks.

During the interview, candidates are asked to talk about their experience of interacting with children in a professional setting and to report any event in which they have been involved that endangered, or was likely to endanger, the safety and dignity of one or more children.

During the recruitment process, the Centre de Recherche sur l'Anti-Corruption reserves the right to carry out the checks that are necessary and permitted by law to ensure that recruiting the candidate will not harm (or is not likely to harm) the dignity or safety of children or the reputation of the organisation.

If it is established that the candidate has been involved in an event that endangered, or was likely to endanger, the safety or dignity of one or more children, or in any other event likely to damage the reputation of the organisation, the Centre de Recherche sur l'Anti-Corruption may end that person's recruitment process, within the limits permitted by law.

On being hired, every employee must present an extract from their criminal record or authorise it to be checked. Once the check has been made, employees must sign this policy on the protection and safety of children.

2

Staff awareness and training

At the start of any new collaboration, CERC shares sufficient information with its staff, beneficiaries and partners to ensure that everyone shares the same definition and understanding of what constitutes a form or manifestation of abuse, exploitation, violence and neglect of children, and of which groups of children are most vulnerable to these forms of violence.

All CERC staff and partners must acknowledge in writing that they have received and understood the child protection policy and the agreed standards of the Centre de Recherche sur l'Anti-Corruption. They will be kept informed of any changes to the policy. They must also be informed of, and understand, the risk of prosecution, dismissal or any other sanction.

All CERC staff and partners must be familiar with the policy and aware of the problem of violence, exploitation, abuse and neglect of children, and of the risks children face when interacting with people representing CERC.

It is important that all staff and all other persons in direct contact with children are aware of situations that present risks to children's safety and security, and are able to manage those risks.

The members of CERC's management committee are responsible for risk management and ensure that the necessary measures are taken to minimise the risks children face.

All staff and partners must help to build an environment in which children are able to identify unacceptable behaviour and to discuss their rights and concerns.

To be implemented effectively, the child protection policy must be well understood by all staff and partners of the Centre de Recherche sur l'Anti-Corruption. CERC makes arrangements to organise a series of presentations for all staff, project beneficiaries and partners.

CERC ensures that everyone associated with it is aware of the child protection policy through training, orientation and information sessions, and the dissemination of this policy through the appropriate channels.

3

Code of ethics

CERC staff members and partners must be aware that the children they work with may, because of the circumstances and context in which they have grown up, try to form a relationship with an adult in order to obtain more attention or favours from them. The adult is always responsible for their own actions, regardless of the behaviour or attitude of the child.

Adults must always avoid finding themselves in compromising or vulnerable situations. A child can never consent to their own exploitation; it is for the adult to take responsibility for refraining from any form of exploitation, real or apparent.

Any sexual activity with a child (any person under the age of 18) is strictly prohibited, regardless of the age of majority or the age of consent to sexual relations in the country where the activity takes place. Mistaken belief about a child's age can never be an acceptable justification. It is the responsibility of CERC's staff and partners to refrain from any sexual activity with children, so as to clearly avoid any risk of exploiting or abusing the rights of adolescents whose age might be unclear.

Sexual relations between CERC staff and the beneficiaries and partners of CERC's technical assistance are strongly discouraged, as they can give rise to abuse of authority and undermine CERC's credibility.

Sexual relations in exchange for money, favours, goods or services are prohibited within CERC. An employee who has a sexual relationship with a partner must inform the head of mission, as there could be an appearance of a conflict of interest.

Measures for the protection of children (continued)

CERC staff and partners must not hug, hold, kiss or touch a boy or girl under the age of 18 in a way that is inappropriate or disrespectful according to the local culture. To avoid any misinterpretation, all CERC staff and partners must avoid any physical contact with a child. At the very least, it is absolutely necessary to ask a child's permission first before touching them or taking them by the hand.

Staff, partners and other adults must strictly avoid any gesture or behaviour that could be interpreted as bad practice or as potential sexual abuse. For example, they must never behave in an inappropriate or provocative manner, that is, adopt explicit or implicit behaviour or attitudes aimed at soliciting or offering sexual favours.

Staff and partners must be mindful of appearances and of how others may perceive their language, their actions and their relationships with minors and children.

Staff and partners must never rest or sleep in the same room or the same bed as a child who is not part of their immediate family.

Staff and partners must never seek to humiliate, belittle or shame children, and must refrain from any form of violence, abuse of rights, neglect and exploitation towards them.

Staff and partners must never discriminate against children in any form, treat one child differently from another, or show favouritism towards a child.

In other words, staff and partners must avoid any discrimination against children. They must treat children without distinction of any kind, irrespective of the race, colour, sex, language, religion, political or other opinion of the child or of their parents or legal representatives, of their national, ethnic or social origin, property, disability, birth or any other status.

Staff and partners must never employ minors as workers, staff or domestic servants. Even if employing a child may be considered acceptable under national laws and in the local culture, and may bring the child benefits that would otherwise be difficult to obtain, such a situation can lead to misunderstandings and is contrary to this policy.

Exploitation and abuse by people working in the development sector are very serious professional misconduct and are grounds for dismissal.

It is important to remember that good intentions are not enough to do good, and that well-intentioned actions can cause significant harm. In short, under no circumstances may the staff or partners of the Centre de Recherche sur l'Anti-Corruption employ or make work any person who has not reached the age of majority (18 years).

Any staff member accused of an offence against the integrity or safety of a child, or against the reputation of the organisation, may be suspended from duty on full pay until the legal proceedings have been concluded. Their contract with CERC will be terminated permanently in the event of a criminal conviction.

4

Reporting mechanism

Where a CERC staff member or partner has reasonable grounds to believe that a child has been or could be a victim of exploitation, violence, abuse of rights or neglect, they have a duty to report it using the reporting mechanisms established by the Centre de Recherche sur l'Anti-Corruption and provided for by the Congolese laws in force and other texts, whether or not the suspected person is a member of the staff of the Centre de Recherche sur l'Anti-Corruption.

It is important that CERC staff and partners in direct contact with children create an open environment in which any problems that may arise during the activities of the Centre de Recherche sur l'Anti-Corruption and its partners can be raised or discussed, including issues of violence, exploitation, neglect and abuse of rights.

- CERC takes seriously every report concerning the safety and protection of a child.
- CERC listens to and takes seriously the views and wishes of children.
- CERC supports children, staff and other adults who report suspicions or incidents, or who are themselves the subject of a report.

Once made aware of an incident, CERC's child protection officer promptly assesses the situation and, where appropriate, proposes measures to review and improve the child protection system.

Measures for the protection of children (continued)

The child's parents or known guardian must be informed of the situation and of the measures taken by the Centre de Recherche sur l'Anti-Corruption, including the steps in the legal process. If the parents refuse to submit the child to such a procedure, the Board of Directors must be informed and must ensure follow-up.

The child's right to live a life free from violence, exploitation, abuse of rights and neglect is of paramount importance to the Centre de Recherche sur l'Anti-Corruption. Where sexual abuse is suspected or proven, all necessary measures must be taken to help the child cope with the physical and psychological consequences of the abuse. These measures may include psychological or medical assistance or any other kind of support that is necessary and suited to the needs and rights of the child.

The staff member is informed of the acts of which they are accused and must have the opportunity to explain themselves and give their version of the facts.

Following complaints made against a member of its staff, the Centre de Recherche sur l'Anti-Corruption is obliged to open an internal investigation. The staff member under investigation is advised to cooperate fully with those in charge of the investigation by providing, where appropriate, information and the names of witnesses to be called for interview.

When the investigation is closed, the staff member must be informed of its findings and of any action that will be taken in their regard.

All information concerning the incident and the investigation is recorded in writing. A copy of the confidential investigation report, including the findings, is given to the Chair of the Board of Directors of the Centre de Recherche sur l'Anti-Corruption.

Where the person concerned is neither a staff member nor a partner of the Centre de Recherche sur l'Anti-Corruption, CERC will report the case to the authorities of the country in accordance with the arrangements provided for in this policy.

A strategy for handling media enquiries must be drawn up, with a designated person acting as spokesperson.

No disciplinary action will be taken against a staff member who reports a legitimate concern about the abuse of a child if that concern proves unfounded.

On the other hand, a staff member who makes accusations that they know to be false or malicious will be subject to disciplinary measures. Where appropriate, **the Centre de Recherche sur l'Anti-Corruption may decide to take legal action or will take any other necessary measures** against the authors of false and malicious allegations of child abuse.

5

Limits on access to children's personal information and on communications

CERC staff or partners (donors, media, schools and other civil society organisations) must never make information or images public without the consent of the family and, where possible, of the child.

CERC ensures that the use of photographs and images of children in its publications is limited and controlled. Publications include, in particular, material recorded or transmitted in paper, electronic or digital form.

The use of photographs and images of children in publications is subject to the informed, written consent of the child and of their parents or the persons responsible for the child.

Informed consent means that the individual understands the circumstances in which the image will be used and all the possible consequences of its publication, distribution or circulation.

No photograph or image of an identifiable child may be used in a CERC publication to illustrate violence, abuse, exploitation or neglect of a child.

This prohibition applies regardless of the consent of the child concerned, of the adult who has legal custody of the child, or of an agency that owns the photograph.

The possession, use or production by staff members of pornographic material involving children is contrary to the policy of the Centre de Recherche sur l'Anti-Corruption and is strictly prohibited. Child pornography means any representation, by whatever means, of a child engaged in real or simulated explicit sexual activities, or any representation of the sexual parts of a child for primarily sexual purposes.

Entry into force

This policy enters into force on the date of its adoption by the General Assembly of the Centre de Recherche sur l'Anti-Corruption. It was adopted unanimously by the Extraordinary General Assembly held in Uvira on 19 January 2018.



CENTRE DE RECHERCHE SUR L'ANTI-CORRUPTION

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 [cerccongo](https://www.instagram.com/cerccongo)

www.cerc.cd

32, Avenue CPA, Quartier CPA Mushi, Commune de Mont-Ngafula, Kinshasa, DRC

info@cerc.cd · +243 977 757 227

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CERC holds Special Consultative Status with the United Nations Economic and Social Council (ECOSOC).