



**Morning Tears - South Sudan**

Rebuilding Worlds for Children of Imprisoned Parents

## **CHILD PROTECTION CODE OF CONDUCT 2019/2020**

**DRAWN BY:**

Board members  
MT South Sudan

**CONTACTS:**

Telephone: +211 928 040 024

**Email:**

[info@morningtears-southsudan.org](mailto:info@morningtears-southsudan.org)  
[Kenneth.kensige@morningtears-southsudan.org](mailto:Kenneth.kensige@morningtears-southsudan.org)

**Website:** [www.morningtears-southsudan.org](http://www.morningtears-southsudan.org)

**TABLE OF CONTENTS**

1.0 GENERAL STANDARDS AND COMPLIANCE ..... 2

1.1 MT PURPOSE OF THE CODE OF CONDUCT ..... 3

1.2 OBLIGATIONS OF THE STAFF, MANAGEMENT & REPRESENTATIVES..... 3

1.3 All the staff, management and representatives will always commit to;..... 3

1.4 In project planning and management, all Morning Tears supervisory staff will commit to minimizing risks through;..... 5

2.0 MT COMMUNICATION AND REPORTING..... 6

2.1 At Morning Tears when reporting or publishing material on children, the staff must: ..... 6

2.2 MORNING TEARS GUIDELINES FOR PROPER BEHAVIOUR ..... 6

2.3 MT GOOD PRECAUTIONARY GUIDELINES ARE TO: ..... 6

2.4 MT The staff and management must: ..... 7

2.5 MT ACTIONS TO TAKE IF YOU WITNESS ABUSE OR POTENTIAL ABUSE..... 8

2.6 REPORTING..... 8

2.7 MT reporting child abuse or otherwise unethical practices can include the following areas: ..... 9

2.8 INVESTIGATION..... 9

3.0 MT DISCIPLINARY MEASURES ..... 10

3.1 DECLARATION ..... 11

## **1.0 GENERAL STANDARDS AND COMPLIANCE**

This Code of Ethics (the "Code") complies with Morning Tears; s Human resource policies, Code of Ethics and all approved management and operational standards.

This Code of Conduct is created to help the Partner Organizations and Morning Tears staff to take better into account the welfare and safety of children in their work, including project planning and management. Together with the Ethical Principles of Morning Tears, this Code of Conduct aims at providing practical guidance on what is acceptable when working with children. These guidelines/ code of conduct apply to all staff, volunteers (henceforth referred to as the staff) and any other parties who come into contact with children, i.e. persons under the age of 18, in Morning Tears projects. The children also need to be introduced to their rights. A Morning Tears representative will assist the local partner in applying the child protection principles in their own work. Child protection is one of the four themes which run throughout the UN Convention on the Rights of the Child, which went into effect in September 1990. 193 countries have ratified the Convention and have included it in their own laws.

Morning Tears Staff & Representatives are expected to conduct themselves, in both their official capacity and private activities, with the utmost honesty and integrity in consistence with this code. Violations of policies and regulations concerning personal conduct will result in disciplinary action up to and including termination.

Morning Tears is committed to the identification and remedy of any malpractice within the organization. Employees who are aware of or suspect any type of malpractice – criminal injustice or unsafe or unethical practices – are required to report the activity at the first instance it becomes known to them directly to the *contact appended to the Code of Ethics*

Morning Tears Staff & Representatives are therefore encouraged to bring any questions or concerns related to their employment, misconduct of staff, or any general concerns about Morning Tears; s image to the attention of their direct supervisor, the Country Director, contact appended to the Code of Ethics

## **1.1 MT PURPOSE OF THE CODE OF CONDUCT**

**The purpose of this code of conduct is to;**

- a) Raise awareness of the rights of the children
- b) Increase commitment to child protection
- c) Protect children from abuse and exploitation
- d) Propose good practices
- e) Minimize risks and inappropriate behavior promptly and systematically
- f) Serve as a tool for partners to create their respective child protection guidelines/policies in order to address specific child protection concerns in their own socio-cultural environments and legal frameworks
- g) Serve as a practical tool for the supervisors to introduce child protection issues to the staff
- h) Protect staff from false accusations and allegations.

## **1.2 OBLIGATIONS OF THE STAFF, MANAGEMENT & REPRESENTATIVES**

Children are minors and therefore it is the adults' responsibility to safeguard a physically and mentally healthy environment for the children to grow, play and study in. Adults act as role models to children and therefore it is their duty to create a work environment of trust, openness and mutual accountability among the staff and between the staff and the children

## **1.3 All the staff, management and representatives will always commit to;**

- a) Opposing all forms of child exploitation and child abuse (including physical, mental, neglect, sexual and spiritual abuse);
- b) Giving respect and dignity to all children associated with the work of Morning Tears or its partners;
- c) Treat children with respect and equally, regardless of their age, sex, language, religion, opinion or nationality, ethnic or social origin, status, class, caste, sexual orientation, or any other personal characteristics

- d) Help children to take part in decisions which concern them according to their age and their level of maturity.
- e) Maintain a culture of communication and create trust with the children and their families, communities, other staff and volunteers and representatives of partner organisations so that concerns may be shared and discussed.
- f) Ensuring that no child is asked to work or perform favors in return for assistance or participation; refraining from smoking in classrooms and offices when there are children present in order not to harm children's health; refraining from drinking alcohol or using any other intoxicating substances during office hours;
- g) Use non-violent and positive behaviour methods when supervising children.
- h) Ensuring that a sense of accountability exists between staff so that poor practices or potentially abusive behaviour does not go unchallenged;
- i) Encourage children and communities to speak openly about their interactions with adults and with each other.
- j) Inform children and communities of their right to report any worrying situations and how they can raise a concern.
- k) Empower children so that they are in a position to better protect themselves.
- l) Make sure that another adult is present or try to be visible when I am in contact with a child.
- m) Try to preserve the child's autonomy and make sure that I do not do things that a child can do for herself/himself.
- n) Plan activities and organise the work place in such a way so as to minimise the risk of harm taking into account the age and development of the child.
- o) Ensure that information concerning children, families and communities remains confidential.
- p) Behave in a way that sets a good example (avoid smoking, showing disrespect towards colleagues, etc.).
- q) Obtain permission from the child and their parents before taking a photograph, recording or using the child's image, what they have said or their history. This includes explaining to children and their parents how the photos or messages will be used.
- r) Ensure that the child does not pose in a degrading manner or in a way that

may be interpreted by others as having sexual connotations.

- s) Raise any concerns and queries concerning the Child Safeguarding Policy with my manager/supervisor or the Child Safeguarding Focal Point.
- t) Immediately report any suspicions or allegations to the Child Safeguarding Focal Point of behaviour which goes against the principles of the Child Safeguarding Policy and Code of Conduct including any form of child abuse even if the information or allegation is vague.

**1.4 In project planning and management, all Morning Tears supervisory staff will commit to minimizing risks through;**

- a) Making all staff aware of the Child Protection Code of Conduct and making sure that all staff sign a statement to say that they have read the policy, will respect it and understand the consequences in case of inappropriate behaviour
- b) Showing professionalism in the selection of project staff (personal qualities and conduct)
- c) Developing child protection guidelines and/or a code of conduct
- d) Organizing staff training to raise awareness of health, safety and child protection issues
- e) Setting up appropriate procedures for reporting potential abuse or suspect of child abuse
- f) Taking appropriate disciplinary action when there is evidence of child abuse (immediate suspension from duties, dismissal, legal action, etc.)
- g) Paying special attention to the physical safety of the environment in order to avoid natural or manufactured hazards, i.e adequate health and safety conditions include high construction standards (secure windows and staircases, safe electric appliances and wiring, marked fire escapes and fire equipment, etc.). Buildings and grounds where children reside, study or play, should not have direct access to open water or dangerous earth formations, roads with heavy traffic, construction sites, etc.

## **2.0 MT COMMUNICATION AND REPORTING**

In the communication regarding Morning Tears work it is important to respect the dignity and human rights as well as the cultural and religious identity of all people, children included. The communication and reports must be based on facts and not rely on second-hand interpretation.

### **2.1 At Morning Tears when reporting or publishing material on children, the staff must:**

- a) Obtain the compulsory consent of the child and his/her parents or carers before taking photographs and images
- b) Protect the safety and privacy of children and their families by not using their images and names without explicit consent, and by not using them in any way which reveals their identity or location
- c) Photographs and other visual material should not show children as helpless victims or in otherwise negative or inappropriate connections. Rather, visual material shall emphasize the potential and strengths of the people involved and of communities to develop their own lives
- d) Ensure that the children are adequately dressed in photographs and images and they are not represented in poses that could be interpreted as sexually suggestive.

### **2.2 MORNING TEARS GUIDELINES FOR PROPER BEHAVIOUR**

Children need protection from psychological, emotional or physical abuse, including sexual abuse. Maintaining high standards of personal and professional conduct is a prerequisite for working in projects with children. When working with children, it is essential to minimize situations which may induce inappropriate behavior or which can be misinterpreted as such by a third party. Professionalism includes zero tolerance for any abusive behavior

### **2.3 MT GOOD PRECAUTIONARY GUIDELINES ARE TO:**

- a) Arrange at least two adults to supervise all children's activities. In mixed groups, there should preferably be one male and one female supervisor

- b) Obtain permission from the local project supervisor before bringing outside visitors to the community/project site with children
- c) Arrange meetings with a single child in a public place or accompanied by another adult, in the daytime only
- d) Avoid discrimination against, showing differential treatment, or favoring particular children to the exclusion of others
- e) Let the children perform personal functions themselves when they are capable of it (washing and dressing etc.)

#### **2.4 MT The staff and management must:**

- a) Never develop relationships with children which could in any way be deemed exploitative or abusive
- b) Never abuse their power or position of authority to obtain personal gain from children or their parents
- c) Never use language, make suggestions or offer advice which are inappropriate, offensive or abusive
- d) Never act in ways intended to shame, humiliate, belittle or degrade children, or otherwise perpetrate any form of emotional abuse
- e) Never hit or otherwise physically assault or abuse children
- f) Never behave physically in a manner which is inappropriate or sexually provocative (culturally inappropriate kissing, hugging, or touching of a child)
- g) Never sleep in the same room or bed with the child whom they are working with
- h) Never develop physical/sexual relationships with children
- i) Never condone, or participate in activities which are illegal, unsafe or abusive.

This is not an exhaustive or exclusive list. The principle is that staff and management should avoid actions or behavior which may constitute poor practice or potentially abusive behavior.



## **2.5 MT ACTIONS TO TAKE IF YOU WITNESS ABUSE OR POTENTIAL ABUSE**

Abusive behavior can be very difficult to bring forward, but for the sake of the child's welfare, it is crucial to take any suspected or witnessed abuse seriously. The sooner any abuse or potential abuse is reported and examined, the less damage is caused to the child or to the community. It is also important to keep the reported information confidential so as not to unduly harm the people involved.

If a child's behavior or stories give indications of abuse, the project staff needs to record the incident in as much detail as possible (the child's exact wordings and behavior, etc.). Therefore, setting up a system, e.g. the Child Protection Reporting System, needs to be part of the project planning. The recorded information must be kept strictly confidential.

The staff needs to make sure that the child is protected from subsequent abuse. It is important to discuss the incident with the child and reassure the child that he/she is not guilty of any inappropriate behavior. If there is substantial evidence of physical/sexual abuse, the child needs immediate medical attention. The person involved in the abuse must be suspended from his/her duties until the incident has been thoroughly examined.

## **2.6 REPORTING**

The reporting mechanism prevents child abuse and strengthens the organizations' accountability. The reporting mechanism also acts as part of Morning Tears child protection work and supports its risk management mechanism.

Local partners of Morning Tears shall notify the Morning Tears management (regional/headquarters) if the subject of concern (the abuser) is a member of Morning Tears staff. Morning Tears employees and volunteers in most cases shall raise the concern with their line manager or supervisor.

If the direct line manager is the subject of concern, they should speak or write to a more senior manager inside Morning Tears organization. The regional director (or possibly other staff member) is obligated to report each reported suspicion to the Morning Tears headquarters

If the subject of concern is a member of a partner organization, the reporter of the incident shall inform any Morning Tears staff member.

All information will be handled with high confidentiality. The reporter of the incident will be provided follow-up during the process of investigation. It is also possible for everyone to report anonymously through link placed in Morning Tears homepage: [www.morningtears-southsudan.org](http://www.morningtears-southsudan.org)

### **2.7 MT reporting child abuse or otherwise unethical practices can include the following areas:**

- a) Your name and organization?
- b) What happened?
- c) When and where did it happen?
- d) Who was involved? Who else might have been involved?
- e) Which partner organization/project/country?
- f) Any supporting documentation?
- g) Who else might have information on the case?
- h) How does your allegation relate to FELM?
- i) Have you taken any other action in relation to this case?

### **2.8 INVESTIGATION**

All reported information will be investigated. Further actions are taken based on investigation. Reported data and evidence of reported incidents must be protected and only be available for those who need the information to carry out their duties. The following guidance is intended to help those (Morning Tears staff and Management) receiving information to react properly to safeguard the interests of all parties involved.

- Write down the facts you have heard in as much detail as possible. Start making written notes of all subsequent developments in the case
- Keep the information as confidential as possible (“need to know” basis only). You cannot be sure who is involved

- Consider the risks from different people's point of view. Protect both the reporter of the incident, the suspect(s) and the victim(s) until some clarity about the case can emerge
- Contact the respective Morning Tears Unit at the headquarters in order to negotiate the appropriate actions to take
- Contact the management of the partner organization if needed
- Consider contacting competent persons outside the organizations (lawyer, social worker)
- Secure the evidence and prevent further losses: protect all possible documents (photos), make sure evidence is left untouched and isolated, and secure that further losses will not occur
- Draft an interview list for persons working with or near the subject(s) of concern or victim(s), to be used in an investigation
- Inform those bringing the issue to your attention that their message has been received and that action is being taken, without forgetting confidentiality
- Work with your respective unit on how to inform the affected donors and the media (if needed). All decisions concerning contacting affected donors and media are to be made at the Morning Tears Communication Department and Domestic Department
- Plan for learning from the issue within Morning Tears, to mitigate the risk of something similar happening elsewhere

### **3.0 MT DISCIPLINARY MEASURES**

Concerns and suspicions should not be the basis for disciplinary action before a proper investigation is conducted.

If disciplinary action with a Morning Tears employee is required, his/her supervisor will have a discussion with the employee, giving the employee a possibility to express his/her view on the subject (South Sudan labor laws). When criminal actions are suspected Morning Tears will contact the police.

The partner organization is responsible for decisions concerning their own staff members, although in many cases mutual considerations might be necessary. When criminal actions are suspected, Morning Tears requires the partner organization to

contact the local authorities. Depending on the case, Morning Tears might use reported data for future decision-making.

If the investigation shows incidences of child abuse or unethical actions inside the cooperation abroad, the following actions must be taken:

- A date is set by which the conditions for further support must be met;
- A plan will be prepared and implemented to support the victim(s), including physical and mental aftercare and judicial support.
- A criminal proceeding takes place;
- In severe cases, the partnership with the partner organization may be finished temporarily or conclusively

### **3.1 DECLARATION**

Statement of Commitment to the Morning Tears Code of Conduct for Child Protection

I \_\_\_\_\_, the undersigned, Declare I have received, read and understood my responsibility to the Morning Tears Code of Conduct, and agree to work in accordance with it.

I understand that any failure to uphold the Code of Conduct will result into disciplinary action including termination and judicial proceedings.

Furthermore, I declare that I have no criminal records regarding an offence towards a Child (which I have not previously declared) and nor do I know of any reason why anyone would deem me unsuitable to work with Children.

Morning Tears shall reserve the right to inform other institutions which may apply for professional references of the termination of contract for serious violation of the principles of the protection of Children within the legislative framework applicable to the protection of information.

#### **Witnessed by:-**

Name: \_\_\_\_\_

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