



The Shwe Yamin Foundation

No. 21-A , Aung Zay Ya Street , Shwe Taung Kyar (1) Ward , Banhan Township ,Yangon , Myanmar
Ph - +95-1- 525-169, 7503911,+95-9-953357977

The Child-Safety Policy and Implementation Procedures

Policy and Procedures

- The Shwe Yamin Foundation believes that the abuse of children is an abuse of their rights as set out in the UN Convention on the Rights of the Child.
- A child means every human being below the age of 18 years.
- Child abuse means sexual abuse or other physical or mental harm deliberately caused to a child.
- Sexual exploitation is any abuse of a position of vulnerability, differential power, or trust for sexual purposes; this includes profiting monetarily, socially, or politically from the sexual exploitation of another.
- Exchange of money, employment, goods, or services for sex, including sexual favours or other forms of humiliation, degradation or exploitation is prohibited. This includes exchange of assistance that is due to beneficiaries.
- The policy recognises that, on occasions, staff and others engaged by The Shwe Yamin Foundation or its partners to work with children may pose a risk to children and abuse their position of trust.
- Managers at all levels have particular responsibilities to support and develop systems which maintain an environment which prevents exploitation and abuse and promotes the implementation of their code of conduct.
- Managers are accountable for ensuring that all staff, partners and relevant others have access to the child protection policy, are aware of its contents and clear about the responsibilities it places on them.
- Managers are accountable for ensuring that an open and responsive management culture is developed so that staff and others are able to discuss the issue of child abuse and be confident of a positive response to any concerns that may arise.
- The Shwe Yamin Foundation will ensure that the child protection policy is referenced in all contracts, grant/partnership agreements etc.
- The Shwe Yamin Foundation will ensure that child protection systems are subject to periodic monitoring and review and that issues and processes are fully documented so that appropriate action can be taken and lessons from experience drawn together at local and corporate levels.
- The Shwe Yamin Foundation also recognises that it has a moral and legal responsibility to ensure that children are protected from exploitation, abuse, violence and neglect from its staff members, board members, partners, volunteers, interns, consultants and other representatives, within and outside the programmes - directly or indirectly.



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Professional Code of Conduct

Staff and volunteers need to be aware that:

- The Shwe Yamin Foundation operates a 'two-adult' rule which should be followed by all workers and visitors to The Centre (i.e. two or more adults supervise all activities where minors or children are involved and are present at all times). If this is not possible, staff members are encouraged to look for alternatives such as being accompanied by community members on visits to children.
- Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of majority or age of consent locally. Mistaken belief in the age of a child is not a defence.
- They may work with children who, because of the circumstances and abuses they have experienced, may use a relationship to obtain 'special attention'. The adult is always considered responsible even if a child behaves seductively. Adults should avoid being placed in a compromising or vulnerable position.
- They must not fondle, hold, kiss, hug or touch minors in an inappropriate or culturally insensitive way. To avoid misunderstanding, it is recommended that a child be asked for permission before touching or holding hands.
- In general, it is inappropriate to spend excessive time alone with children away from others.
- All Shwe Yamin Foundation staff and volunteers must sign the Consent Form to Child Safety Code of Conduct and abide by this Code of Conduct once signed.

Staff of The Shwe Yamin Foundation must:

- Avoid actions or behaviour that could be construed as poor practice or potentially abusive. For example, they should never behave physically in a manner which is inappropriate or sexually provocative.
- Be concerned about perception and appearance in their language, actions and relationships with minors and children.

Staff of The Shwe Yamin Foundation should never:

- Act in ways intended to shame, humiliate, belittle or degrade children, or otherwise perpetrate any form of emotional abuse.
- Discriminate against, show differential treatment towards, or favour particular children to the exclusion of others.
- Do things for children of a personal nature that they can do for themselves.
- Sleep in the same room or bed as a child with whom they are working.



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The Shwe Yamin Foundation's personnel should understand that:

- the hiring of minors as 'house help' or provide shelter for minors in their homes may lead to misunderstandings and is inconsistent with The Shwe Yamin Foundation's efforts to ban exploitative child labour.
- Exploitation and abuse by humanitarian workers constitute acts of gross misconduct and are therefore grounds for termination of employment.
- An alleged perpetrator of child abuse will normally be suspended from their normal relationship with The Shwe Yamin Foundation during investigation of allegations. The Shwe Yamin Foundation will sever all relations with any Shwe Yamin Foundation Associate who is proven to have committed child abuse.

Reporting Mechanisms (for Concern and Cases) & Referral

- It is important for all staff and others in contact with children to ensure that a culture of openness exists to enable any issues or concerns to be raised or discussed.
- The Shwe Yamin Foundation will ensure that it supports children, staff or other adults who raise concerns or who are the subject of concerns.
- On being informed of an incident, the national/country director or regional vice-president immediately informs the Partnership Child Protection Coordinator (with a copy to the Partnership Legal Department). The Child Protection Coordinator confidentially monitors and reviews the response and outcome for the purpose of revising and refining child protection measures.
- Managers are accountable for ensuring that procedures are in place for reporting and responding to concerns, including clear links to external sources of support where available.
- Staff should raise concerns about any case of suspected abuse in accordance with applicable local procedures.
- The welfare of a child is of prime importance to The Shwe Yamin Foundation. If sexual abuse is proven or suspected, every effort is made to assist the child in coping with any trauma or guilt he or she may be experiencing. This may include psychological counselling or another form of assistance deemed necessary and appropriate.
- The employee should be informed that charges have been made against him or her and given an opportunity to respond. Furthermore, as a result of these charges, The Shwe Yamin Foundation has an obligation to initiate an internal investigation. The employee is encouraged to participate in the investigation by providing information and the names of witnesses to be interviewed. At the conclusion of the investigation, the employee should be informed of the results of the investigation and what corrective action, if any, will be taken.



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- All information concerning the incident and investigation is documented in writing. A copy of the confidential report of the investigation and conclusion should be provided to the Child Protection Coordinator.
- A reporting plan should include a plan for dealing with media inquiries that includes a designated spokesperson.
- If an employee raises a legitimate concern about suspected child abuse, which proves to be unfounded on investigation, no action will be taken against the employee. Any employee who makes false and malicious accusations, however, will face disciplinary action. The Shwe Yamin Foundation will take appropriate legal or other action against other Shwe Yamin Foundation associates who make false and malicious accusations of child abuse.
- An allegation of child abuse is a serious issue. In following this policy and local procedures, it is essential that all parties maintain confidentiality. Sharing of information, which could identify a child or an alleged perpetrator, should be purely on a 'need to know' basis. Unless abuse has actually been proved to have occurred, one must always refer to 'alleged abuse'.