

# Child Safeguarding Policy



terre des hommes

Help for Children in Need

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# Foreword

terre des hommes Germany is an international children's aid agency concerned for development policy, which aligns its work to the principles of the United Nations Convention on the Rights of the Child. We believe that any form of violence against children is unacceptable. That particularly applies to violence against children by persons who are, or claim to be, responsible for their protection.

We started opposing the sexual exploitation of children with campaigns and advocacy from the end of the 1980s. Then, in reaction to the increase in cases of sexualised violence against children in institutions, terre des hommes in 2000 drew up its first code of conduct for its staff and the members of the registered association.

Since that time we have continually developed our internal arrangements to protect children and young people, and have adapted to new challenges. The

guidelines developed over the years are oriented to international standards and have been distilled into this safeguarding policy. It has gained additional substance thanks to a constructive exchange within our organisation, with the members of the Terre des Hommes International Federation (TDHIF) and the German NGO Kindernothilfe.

The safeguarding policy will serve as a benchmark and practical guide for the staff of terre des hommes Germany, the German terre des hommes Foundation and the association members in their work and contact with children. It also calls on our project and cooperation partners, volunteers and donors to take responsibility.

We understand it as our duty and mandate to implement the child safeguarding policy consistently and thereby to contribute to protecting children from any form of institutional violence.

Osnabrück, in September 2019



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# 1. Introduction

## 1.1 Purpose of the policy

Safeguarding and caring for children is the key concern of terre des hommes Germany. Violations of children's rights and the principles of child safeguarding are widespread. That is why we want to alert people to the situation and raise awareness at home and abroad. With this policy, terre des hommes seeks to ensure that children and young people under the organisation's direct or indirect care are safe from any form of violence.

Over the years terre des hommes has introduced a number of rules to guarantee child safeguarding at the institutional level. Internal policies and procedures are constantly checked and updated in order to guarantee that children receive the best possible protection. terre des hommes is vigilant towards any action or persons that could constitute a threat to the safety of children and pursues a zero tolerance strategy in this regard.

The terre des hommes child safeguarding policy is based on the rights and well-being of children as set out in the Convention on the Rights of the Child (CRC) adopted by the United Nations General Assembly in 1989. terre des hommes uses the term 'child' for all under 18-year-olds, while also working with young

people over 18 in its programmes. Its commitment to protect them from violence applies to them all. On the basis of different national legislation, however, certain measures may sometimes not be applicable to young adults, e.g. there is no need to obtain a statement of consent from parents about attendance at events. Hence the safeguarding policy is explicitly only for work with minors. The provisions do apply to young adults as well, however, wherever this is appropriate and makes sense.

terre des hommes Germany belongs to the Terre des Hommes International Federation (TDHIF), whose member sections work for children's rights. Via the TDHIF, terre des hommes Germany is a member of the Keeping Children Safe Coalition,<sup>1</sup> a network of organisations that have pledged to protect children through upholding international standards.

All the documents accompanying this policy are available on the terre des hommes website.

<sup>1</sup> [www.keepingchildrensafe.org.uk](http://www.keepingchildrensafe.org.uk)

Protection from all forms of violence: refugee children in a terre des hommes project in Iraq

## 1.2 Responsibility for child safeguarding

Violence against children is never acceptable or excusable! terre des hommes is committed to child safeguarding and recognises that the organisation and its project partners are responsible for protecting children. In its activities it ensures that

- Staff, visitors, members and other volunteers do not harm children;
- Its operations and programmes do no harm to children;
- Children are not exposed to the risk of suffering and violence;
- Any doubts about the safety of children with whom terre des hommes works directly or indirectly are reported to the appropriate authorities, and necessary steps are taken.<sup>2</sup>

Child safeguarding comprises preventive action to minimise the risk of child rights violations. In addition, it covers responsive action to ensure that, if child rights violations do occur, they will be handled appropriately. Safeguarding implies the responsibility not only to protect children but also to promote their well-being.

## 1.3 Forms of violence against children

terre des hommes bases its work on the UN Convention on the Rights of the Child. Articles 19, 34 and 39 of this convention relate directly to violence against children. Article 19, in particular, requires “...legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse”. Specifically in relation to Article 19, General Comment No. 13 (2011) issued by the UN Committee on the Rights of the Child deals with “the right of the child to freedom from all forms of violence”. It draws on the UN study “World Report on Violence against Children” (2006), which outlines various forms of harm against children.

<sup>2</sup> Working directly with children means that children are beneficiaries and adults have direct contact with them. Indirect work with children includes children who are not direct beneficiaries but benefit from the project and are at times present during project activities or can be reached through the beneficiaries, e.g. siblings, or members of households or communities.

Like the UN Committee on the Rights of the Child, terre des hommes also follows this study in its use of these forms of ‘violence’, supplementing them by online violence via digital media. Hence, terre des hommes differentiates between **six main types of violence against children**, defined as follows:

- **Physical Violence** – is the actual or potential physical injury to a child or a failure to prevent the child from physical harm. This includes hitting, kicking, scratching, shaking, throwing, burning or scalding, drowning, suffocating children or forcing them to stay in uncomfortable positions and deliberately causing ill health to a child. Physical violence mostly leaves mental traces, as well as physical ones.
- **Sexual Violence** – includes any forced or enticed sexual activity involving children, whether or not the child is aware of what is happening or gives consent. That means all forms of sexual activities such as socially taboo touching, molesting, rape, intercourse etc., as well as non-contact activities, such as using sexualised words, gazing at a child, showing children pornographic materials, watching sexual activities together, or encouraging them to behave in inappropriately sexualised ways.
- **Mental or Emotional Violence** – is the actual or likely severe adverse effect on the emotional and behavioural development of a child caused by persistent or severe verbal abuse, belittling, bullying or rejection. It may involve conveying to the child that they are worthless, unloved or inadequate. It includes age or developmentally inappropriate expectations being imposed on children, exposure to violence, as well as causing children persistently to feel frightened, threatened or guilty. It also includes harmful traditional practices like female circumcision which, besides violent genital mutilation and lifelong health problems, cause serious mental problems for the victims.
- **Exploitation** – describes the commercial or other use of the child through activities that the child performs for the benefit of a third party and which impair their physical or mental well-being. These activities include forced labour, performing criminal acts, being forced to provide services such as begging and child prostitution, as well as any work that leads to the economic exploitation of the child. Exploited children generally go to school irregularly, if at all, which is harmful to their psychosocial development and impacts crucially on their future life prospects.

- **Neglect** – is the persistent failure to meet the child’s basic physical and/or psychological needs, such as lack of any emotional support and love, abandonment, failure to protect them from harm, including through lack of supervision, or withholding essential medical care or educational services when those responsible for children’s care have the means, knowledge and access to services.
- **Online Violence** – describes various forms of violence against children using digital media and communication technologies like social media, webcams, chat rooms etc. Offenders contact children through digital media often with a false identity, to get their trust and sexually exploit them. Others use digital media to bully, offend or embarrass children. Like hands-on crimes, hands-off crimes can also cause harm to children, e.g. sleeping disorders, depressions, or suicidal or aggressive behaviour. Various forms of violence often occur together and are gender-specific.

Offenders are generally adults but children can also become offenders.

Child labour: work that damages a child’s physical or mental well-being is a form of violence



## 2. Child safeguarding at terre des hommes

The safeguarding policy is intended for all the staff in the German head office and international regions, the association members, cooperation partners and local partner organisations abroad. Together with the safeguarding policies of international partners, it provides a consistent and coordinated system of protecting children.

### 2.1 Principles underpinning this safeguarding policy

terre des hommes is guided by the following principles:

1. **All children have an equal right** to protection and the promotion of their wellbeing. They should have the chance to participate actively in their society – regardless of their ethnic origin, social background, age, gender, skin colour, possible disability, sexual orientation, religion, caste or beliefs.
2. All actions regarding child safeguarding must be taken in the **best interest of children**. This includes the commitment that we respect children's rights in all our programmes and activities and do not cause harm.
3. **Everybody has a responsibility for safeguarding.** This policy is mandatory for all those who work for or on behalf of terre des hommes, including staff, members, volunteers and partners. Training, advice and support will enable everyone to actively carry out their responsibilities for safeguarding children.
4. **Participating is a right** and an essential principle for guaranteeing child safeguarding. For this reason, we encourage children to take part in the development and implementation of child safeguarding standards.
5. **All information and reports** of concern regarding the safety and protection of a child **will be taken seriously**. When necessary, terre des hommes or the project-implementing organisation will make sure that appropriate steps are taken to protect the child and to take action against the alleged offender. This may include reporting cases to law enforcement authorities and child protection agencies.
6. Effective child safeguarding calls for exchange among experts. **terre des hommes is therefore**

**in dialogue with other organisations**, authorities, government departments, ministries and professions mandated to protect children.

7. **terre des hommes informs all staff and members comprehensively** about internal measures regarding child safeguarding and provides them all with appropriate training.
8. **The aim is to strengthen general awareness** regarding the importance of child safeguarding. terre des hommes shares all information and its policy with others and is open to feedback.
9. There is no one specific way of safeguarding children and promoting their rights. **Solutions** to protecting children **need to reflect the culture and existing realities in the environment of all concerned**. However, cultural factors can never be used as an excuse for violence against children.

### 2.2 Principles of behaviour towards children

terre des hommes expects all who are directly or indirectly in contact with its work to:

1. Respect and stand up for the dignity of all children;
2. Refrain from all forms of violence against children and not to use any form of violence to discipline a child;
3. Apply the 'two-adult' rule where at least one parent or guardian or at least two adult carers must be present at all times during all activities involving children and generally connected to terre des hommes. Any deviations from this rule caused by circumstances must be clarified in advance with persons authorised to take decisions;
4. Be concerned about the way they appear and are perceived in their language, actions and relationships with minors and young adults, and maintain a high standard of behaviour in the presence of children;
5. Dress appropriately and behave in a culturally-sensitive manner when visiting children, families, communities and programmes or working with children;



6. Be aware that children may, through verbal or non-verbal behaviour, use encounters to obtain 'special attention'. The adults are always responsible even if a child behaves seductively. Adults should avoid being placed in a compromising or vulnerable position;
7. Not handle children with complicated problems by themselves, unless they have specialised skills and are authorised to do so. These children should be referred to competent and reliable organisations or a team of professionals;
8. Respond immediately to all complaints, accusations and reports by children with respect to any form of violence and inform the terre des hommes Focal Point for Child Safeguarding.

### 2.3. Structure of the child safeguarding system

The head office and every regional office<sup>3</sup> must **appoint a staff member as Focal Point for Child Safeguarding** and also a **Child Safeguarding Committee (CSC)**. The Executive Board makes the appointment for the head office, and the respective office manager does so for the regional offices. They are the first persons to be informed about any suspicion of violence against children. They will then assess the case, obtain further information and give specialist advice to the committee and their supervisors.

<sup>3</sup> terre des hommes regional offices are in South East Asia, South Asia, Latin America and Southern Africa.

All terre des hommes Germany employees must be aware of the names and contact details of the Focal Points. These details are also communicated to all Terre des Hommes International Federation member organisations and partner organisations within the project region. A contact list of all Focal Points is regularly updated and distributed by the Focal Point for Child Safeguarding at head office.

The Focal Points ensure that child safeguarding standards are integrated into the organisational structure and workflows of terre des hommes, and continue to be developed. They regularly undergo training and attend briefings on child safeguarding.

At head office, the Child Safeguarding Committee consists of four people: the Focal Point for Child Safeguarding, a member of the Executive Board, a representative of the Programmes division and an employee elected by the workforce for a five-year period.

In addition, terre des hommes has engaged an **external professional advisor** on a contract basis, who has to be identified in consultation between the Executive Board and the Works' Council. This person is available to advise the whole staff on child safeguarding concerns and can be contacted at any time. In addition, the external advisor may be consulted by the Child Safeguarding Committee and attend its meetings when necessary.

terre des hommes has also appointed an **external ombudsperson**, who supports it in avoiding and combating corruption, and in countering wrong developments in the organisation. The ombudsperson is neutral and independent, and not bound by any instructions. Staff can confidentially submit their enhanced clearance certificates to the ombudsperson. The latter only confirms the existence of this certificate to the head office unless it contains information relevant to child safeguarding. The ombudsperson's contact details and some background information can be found on the terre des hommes website.

"The dignity of children shall be inviolable": Malte Arkona, terre des hommes amabassador, and Claudia Berker, programme coordination officer for Africa, visit a project in Zimbabwe

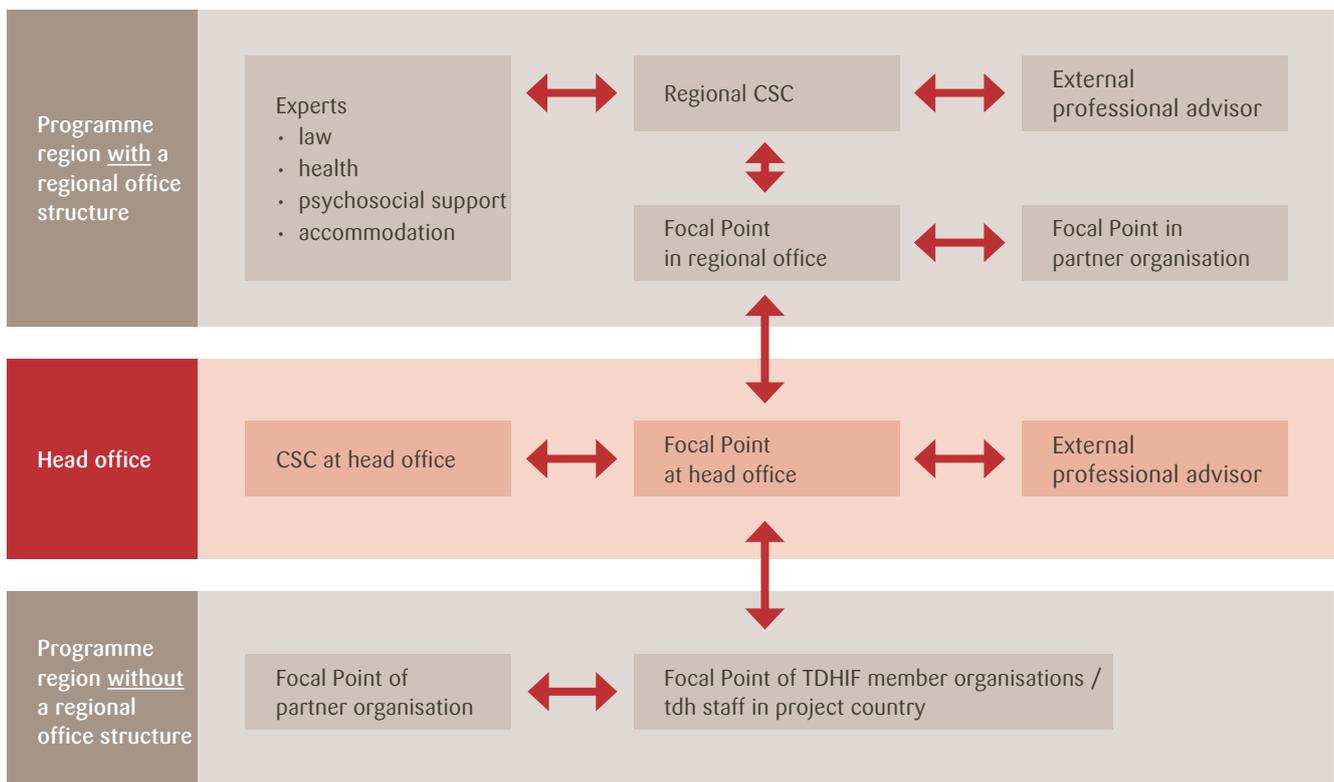
Every international terre des hommes regional office must set up a regional child safeguarding committee consisting of at least three regional staff with different nationalities and genders. In addition, an external professional advisor must be brought in at the country level, someone known to all who can be asked for advice and support if need be. The regional offices are recommended to draw up a list of experts on different issues (e.g. national legislation, administrative regulations, social work or other services) who can be contacted if necessary.

Further, for the members of the association there are voluntary contact persons. They receive their mandate from the Presidium and hence are called **mandated volunteers for child safeguarding**. The preconditions are: possessing an enhanced clearance certificate, which has to be presented to the Presidium before receiving their mandate; having been a member of terre

des hommes for at least three years; and guaranteeing a degree of accessibility appropriate to the function. The mandated volunteers serve as multipliers and take 'institutional child safeguarding' into the association, thereby raising awareness of the issue. In addition, they give information about their function and the relevant rules of the association on child safeguarding and are contact persons for the members of the association when they have questions about safeguarding in general or about a specific incident that might point to a safeguarding case. The mandated volunteers give advice and support, and may initiate further steps. They report to the Presidium and meet with the CSC at the head office at least once a year.

terre des hommes' external professional advisor for child safeguarding is available to advise the mandated volunteers.

### Structure of child safeguarding at terre des hommes





Excursion with refugee children: partner organisations implementing terre des hommes projects must also adhere to the child safeguarding policy

## 2.4 People associated with terre des hommes

### 2.4.1 Staff

The employees at the terre des hommes head office in Germany are bound by the document “Code of Conduct for Child Safeguarding” on the basis of a works agreement. They are also urged to present an enhanced clearance certificate, which is updated every five years. It can be handed either to the Personnel department or to the ombudsperson. In-service training on safeguarding is held regularly for all terre des hommes employees.

In the case of hiring procedures for new staff, including management level, the following provisions are minimum standards. They apply to the head office in Germany and to all international regional offices:

#### 1. Job advertisements

Every externally advertised position shall refer to the terre des hommes safeguarding policy.

#### 2. Checklist for application documents

All application documents must be checked for frequent changes of career tracks or jobs without any identifiable reason. The reasons for this should be plausibly explained in a job interview.

#### 3. References

At any time in application procedures, terre des hommes may request the production of references by the managers and educators named by the applicant.

#### 4. Interview

During a job interview **for positions involving direct contact with children** the following questions must be raised, e.g.

- If there are frequent changes of career tracks or jobs for no obvious reason, what is the explanation? Are doubts regarding safeguarding justified?
- What is the candidate's interest in working with children and the job advertised?
- What is the candidate's general attitude towards terre des hommes' child safeguarding standards?
- Does the candidate have their own ideas about how to protect children from violence during events with children organised by terre des hommes?
- Does the candidate have any personal experience in dealing with critical safeguarding cases and taking action to respond to them?

## 5. Recruitment

- Before signing their contract, all new members of staff, including the management level, must submit a police clearance certificate<sup>4</sup>, if this is available in the country in question.
- The individual induction for new employees includes an introduction to the terre des hommes child safeguarding policy.
- All new staff must be informed about the safeguarding policy and works agreement, and are duty-bound to act in accordance with it.
- By signing their contracts, all staff in the regional offices abroad undertake to recognise and comply with the safeguarding policy.
- All new staff must attend the next possible training session.

Interns in the terre des hommes head office are bound to the safeguarding policy by their contract as members of staff. In the international regional or country offices, signing up to the child safeguarding policy is a separate act. At the start of their internship, interns receive an initiation into responsible action towards children and safeguarding measures by their supervisor.

### 2.4.2 Members of terre des hommes Germany

All those applying to become members of terre des hommes Germany sign up to the terre des hommes safeguarding policy when they sign their application

form. Every new member of the association will be handed a copy of the child safeguarding policy, along with the terre des hommes statutes.

Every member who is elected or appointed to an office within the registered association or terre des hommes Foundation, thereby assuming a responsibility for terre des hommes, must send their enhanced clearance certificate to the Child Safeguarding Committee at the head office. Failure to do so will mean that they cannot hold the office. This applies to the members of the Presidium, the mandated volunteer for child safeguarding, the regional coordinators in Germany, the internal auditors, the terre des hommes Foundation representatives, the association delegates, the adults accompanying the Weltretter teams, and the volunteer school ambassadors. The terre des hommes school ambassadors do not need to be association members, but they are still given training and have to present an enhanced clearance certificate before taking up their voluntary office.

The Presidium appoints two members of the terre des hommes registered association as mandated volunteers for child safeguarding issues. Every member can turn to them with any question or concern regarding child safety.

One member of the honorary Presidium is appointed as responsible for child safeguarding within terre des hommes.

Volunteers will find more information and assistance on the topic of safeguarding in the publications "Creating Safe Spaces for Children" and "Mandated Volunteers for Safeguarding Issues" on the terre des hommes website.

### 2.4.3 Cooperation with partner organisations

The local partner organisations that implement terre des hommes projects are required to devise, implement and regularly review their own child safeguarding policies.

For this reason, terre des hommes will report on its safeguarding policy to all partner organisations, stand by them with advice, and be ready to assist them in devising and implementing their own policies.

<sup>4</sup> In Germany new staff members submit an enhanced clearance certificate (*erweitertes Führungszeugnis*).

### Important aspects that terre des hommes considers when cooperating with local partner organisations:

1. Prior to any cooperation and implementation of a project, terre des hommes conducts a **risk assessment** of the organisation and of the project itself with respect to child safeguarding. Furthermore, country coordinators must complete the section regarding safeguarding in the partner assessment tool QUAM,<sup>5</sup> which is part of project cooperation.
2. By signing the contract of cooperation, the partner organisation **commits to compliance with the terre des hommes child safeguarding policy**, if it does not have one of its own. It accepts that cooperating with terre des hommes is conditional upon introducing its own child safeguarding policy. terre des hommes will check on implementation and compliance with the present policy.
3. The partner organisation shall inform terre des hommes about any incident of violence against a child through a staff member or volunteer of the organisation. It must send a report on steps taken to protect the child, clear up the case and bring the offender to book.
4. Child safeguarding action by partner organisations must cover **collaboration with volunteers**.
5. Child safeguarding must be **on the agenda of partners' meetings** in the project countries and regions.
6. terre des hommes will provide regular **training** on child safeguarding for partner organisations.
7. With a cluster project, child safeguarding must be included in the cooperation agreement.

### 2.4.4 Other partners and service providers

In all its activities, terre des hommes aims to guarantee the safeguarding of children and young people as far as possible. Hence, it strives to minimise the risks when working with cooperation partners and external service providers.

External service providers with whom terre des hommes collaborates must commit to safeguarding, as soon as their work brings them into direct contact with children or their personal data. In this case, they automatically become 'visitors' to terre des hommes programmes and have to sign the Code of Conduct for Visits to terre des hommes Programmes. By doing so, they commit to the instructions for behaviour laid down there. This commitment constitutes a basic precondition for cooperation with terre des hommes.

Cooperation partners are companies and foundations that join terre des hommes in co-financing work for needy children. The cooperation partners likewise declare themselves willing to respect child safeguarding in the context of the partnership with terre des hommes. This is set out in the respective cooperation agreements

### 2.4.5 Visits to projects

Projects, institutions and events funded or organised by terre des hommes are regularly visited by short-term contractors, journalists, photographers, service-providers, cooperation partners, members, supporters and donors.

Before the trip starts they are required to sign a copy of the Code of Conduct for Visits to terre des hommes Programmes and return it to the head office. By so doing, the travellers promise to respect child safeguarding and to follow the code of conduct.

All trips arranged by terre des hommes, whether to visit projects or attend events, must be coordinated through the head office or the respective regional office. In addition, staff of terre des hommes should go along too, if possible.

If the suspicion of a child safeguarding violation arises during such a trip, or violence against children is observed, the incident must be immediately documented and reported to terre des hommes. The staff will then initiate the necessary steps.

<sup>5</sup> QUAM = Quality Assessment Matrix

## 3. Standards for media and communication

terre des hommes also guarantees compliance with safeguarding standards when publicising its work in its own media. That applies to visual language, photography and publications in flyers and brochures, likewise to posting material on websites and disseminating it via social media. Its standards are set out in detail on its website.

### 3.1 Media activity

The visual language of terre des hommes does not depict children as victims – i.e. not as weak and helpless, desperate or naked. There are no stark photos of suffering or dying children that are intended to shock; our photographers always respect children's dignity. terre des hommes generally uses photos depicting children in a friendly way, featuring the good sides of their lives and focusing on their strengths and positive emotions. terre des hommes media describe children's needs but does not put emotional pressure on the beholder. Children are never portrayed as posing in an inappropriate manner, nor are photos used to show their private parts or arouse sexual associations.

Observing these rules, terre des hommes uses authentic photos, displaying children's real life conditions that are often characterised by hardship and scarcity. These principles also apply to the portrayal of children in the context of humanitarian emergencies.

#### Public relations and media contacts

When people visit projects on behalf of terre des hommes their visits are organised by terre des hommes staff and local partner organisations and accompanied by staff from either organisation. The project partner is responsible for obtaining the informed consent of the children, their parents or guardians to all media productions and to their use for the public relations of the head office. The provisions of the General Data Protection Regulation (EU) must be observed in this matter, along with other legal instruments.

Compliance must be checked by the respective supervisors, project leaders, and country or regional coordinators. This shall happen at regular intervals (also through random checks). If there is no statement of consent to hand, the responsible terre des hommes staff member must obtain one subsequently or their immediate supervisor must clarify and settle the mat-



Authentic photos: terre des hommes uses pictures showing children in their life context, but not as victims

ter without delay, giving the staff member appropriate instructions.

Under certain circumstances, fictitious names can be used when it is necessary to protect the identity of the person/s. Such additional protective measures need to be taken when the children could be put at risk of traumatisation or stigmatisation. Those at risk include

- Children who were victims of violence, sexual or otherwise
- Children affected by HIV and AIDS
- Children who have been accused of a crime, or who are offenders
- Child soldiers or former child soldiers
- Asylum seekers, refugees or internally displaced persons who are beneficiaries of projects
- Traumatized children (after natural disasters or armed conflicts, etc)

terre des hommes staff and the project partner have to make sure that journalists assess the risk associated with the media publication together with the people involved in the project. In case of doubt, the decision must be taken in favour of the child's best interests. The extent to which the children have to be described anonymously, whether wholly or in part, is decided according to the following level of risk:

**Risk level 1:**

**Little risk of violence or stigmatisation**

Faces and information about the location can be published with the person's consent.

**Risk level 2:**

**Medium risk of violence or stigmatisation**

Faces and information about the approximate location can be published with the person's consent.

**Risk level 3:**

**High risk of violence or stigmatisation**

Any published faces may not be clearly identifiable, and information about the location must not allow the person to be identified.

## 3.2 Guide to using social media

For its digital communication, terre des hommes uses channels like Facebook, Twitter, Instagram, YouTube, Wikipedia, blogs, fundraising-platforms and the extranet as an internal platform. Every staff and terre des hommes member is required to follow all the child safeguarding standards when communicating on these channels.

Digital communication calls for particular awareness of the risk of violating children's rights or infringing child safeguarding standards. Anyone hearing of incidents such as humiliation, discrimination or sexual allusions regarding children connected with terre des hommes must pass on this information to the Focal Point for Child Safeguarding in the respective country or to the head office. In addition, any kind of misconduct on the internet can be reported to an independent online complaints platform operated by the police or Interpol.

## 3.3 IT rules

All terre des hommes staff use the internet and internet services for their work. They are prohibited from viewing criminal, slanderous, racist, sexual or violent content at their workplace.

A central firewall monitors external communication in the head office. Indexed websites are scanned and blocked according to certain categories (badware, pornography, games, etc.). The individual clicks on these sites are logged. Exceptions from these rules require a special agreement with the employer, which can only be granted for work-related research. The relevant details are set out in the various IT-related works agreements.

## 4. Participation by children

terre des hommes is consistent in focusing on children's rights in its activities. In doing so, it stresses the right of children and young people to participation as part of an integral approach to realising children's rights. Children's rights are a dimension of universal human rights and constitute the defining frame of reference for the work of terre des hommes and its partners.

terre des hommes promotes the involvement of children and young people in the project regions in Germany and abroad. In its activity, it follows the relevant regulations regarding child safeguarding, which may differ according to national legislation. Basically terre des hommes adheres to the following principles.

### 4.1 Principles

terre des hommes empowers children with the aim of enabling them to advocate for their interests and rights themselves. That also applies in the case of infringement of the safeguarding policy.

terre des hommes pursues the following principles:

- All children should be given equal opportunities to participate regardless of gender, age or special circumstances. They should be able to speak up themselves and to represent their interests and concerns. These opportunities for participation must be appropriate to the age or maturity of the child in question. If there is derogation from these principles and the participation of certain groups of children is restricted, this should be properly explained. Every child must have the opportunity to be represented by an adult. When this happens, the child must be involved in the choice of their representative.
- terre des hommes offers children regular training courses on their rights and on the topic of child safeguarding.
- No child shall be forced or persuaded to engage in an activity if they feel uncomfortable. No child shall be punished or criticised if they do not want to join in an activity. Posting of information shall be done in places that are visible and accessible, and it shall be clearly explained to all children.
- The parents or legal guardian must give written consent to their child's taking part in an event/action

(see 4.2, 4.3 and 4.4). Under some circumstances it may also be necessary to obtain written approval by the school authorities if the child stays away from classes for a certain time to attend the event. By their signature it must be clear that the parents or guardian have understood the manner in which the child is involved in preserving his or her own interests.

- The consent and signed permission must be obtained from children and their parents or guardians before taking or publishing photos, or interviewing children.



Interview in Zimbabwe:  
a former street child talks about his life

### 4.2 Interviews with children

Both terre des hommes staff and journalists must follow the Rules for Interviewing Children.

Signed permission must be obtained from both the child and their parents or guardian to conduct and publish the interview. Children shall be given comprehensive information about the process and purpose of the interview. Their doubts and fears must be taken seriously, particularly regarding the handling of confidential information. The child's identity will be anonymised on request. Children are informed that they do not need to discuss anything that they do not wish to disclose. They have the right to refuse the interview or stop it at any time.



Discussion in Geneva with the UN Committee on the Rights of the Child: children from terre des hommes projects call for their right to a healthy environment

Interviews with children shall be conducted with age-appropriate and sensitive interview methods. If possible, they should be in the local language or with a person the child trusts as translator (e.g. a project partner, or family member). That will preserve the child's private sphere and makes them feel comfortable. The child may be accompanied to the interview by their parents, guardian or another person they trust. The interview is followed by a debriefing with the child. The interviewer goes over the core statements of the interview again with the child and tells them where and when it will be published. Whenever possible, the parents or guardian will also be notified about the way the interview went.

### 4.3 Children attending events

conferences and training sessions organised by terre des hommes. To reach these events they travel within their country or abroad. The trips include train and bus, flights and overnight stays en route and at the destination.

terre des hommes takes every precaution necessary to ensure the travel is safe and children are protected. They are informed in advance about the upcoming journey and provided with all relevant information (the exact destination, travel dates, cultural and geographic details at the destination) including protective measures during the trip. The parents or guardians of the children must give prior consent to the journey and all required travel documents must be provided in advance.

Furthermore, the children must be accompanied by at least one adult, in general a member of the partner organisation, and by at least one woman when a girl travels. They supervise the child with the consent of the parents or guardian. On shorter trips and from the age of 14 children may also travel alone with the consent of their parents or guardian. terre des hommes takes measures to ensure the safety, protection and comfort of the child at the venue of destination. This includes the provision of appropriate separate accommodation for boys and girls, and access to communication facilities (mobile phones, internet) as well as ensuring an orientation for the children about local customs and cultural 'dos and don'ts'. In a post-activity debriefing, terre des hommes staff members inquire whether all went well and whether there was any kind of misconduct towards a child.

### 4.4 Youth involvement in Germany

Children and young people in Germany can also campaign for children's rights outside of a project partnership by forming 'Weltretter' (world saver) teams. Each team registers in the terre des hommes head office and is accompanied by an adult member of terre des hommes. The accompanying persons are often teachers or a parent of one of the children; taking this on means having to present an enhanced clearance certificate. They are equipped with important information on the Weltretter teams and about safeguarding in the form of a brochure. In addition, regular training sessions are held for them.

Weltretter teams conduct their own events or actions and can take part in the workshops and annual meetings organised by the terre des hommes head office. In order to do this, the children's parents or guardians must give written consent to the child's participation and also to photos being taken and published. They generally transfer the duty of supervision to an adult accompanying person. If their parents or guardian agree, young people from the age of 14 can attend without an accompanying person. Then the terre des hommes staff take on the supervision during the event, with at least one male and one female staff member being present. They see to it that the youth protection law is respected by all; on principle, no alcohol is offered or consumed. There is prior agreement on rules for respectful behaviour and about not crossing the boundaries of others.

terre des hommes is particularly concerned for children and young people to be safe and protected when attending an event. Staff always have an open ear for possible complaints and are available at an agreed time for consultation every day. That allows space for

early recognition and action when a child is at risk. At the end of the event, participants can fill out a feedback form with questions about how they felt during the whole time. If there is an accusation or a strong suspicion of boundary-crossing behaviour towards a child by a participant, immediate action follows. The terre des hommes staff member clarifies the incident on the spot, as far as possible, takes the first steps to protect the child concerned, documents the incident and reports it to the head office's Focal Point (see 6.3 Case management).

By way of follow-up, the event is analysed by the terre des hommes team, consisting of the staff involved and the Focal Point for Child Safeguarding, in order to take further steps, if necessary, but also to agree on new rules and steps to minimise future risks and create action routines.

Children from Germany advocate for children's rights worldwide: the "Ayudamos" Weltretter (world saver) team



## 5. Child safeguarding during humanitarian disasters

Both natural and human-induced disasters are increasing, and over half of those hardest hit are children. They can be injured or separated from their parents. They can lose their reference persons and suffer enormous mental stress. They can also be exposed to a major risk of sexualised violence. After humanitarian disasters, a state of emergency generally exists. Established, safe spaces break down, such as the family, or school, and humanitarian disasters bring greater risks of violence against children. Child safeguarding measures in humanitarian disasters are set out in the “Minimum Standards for Child Protection in Humanitarian Action” and form the international frame of reference.<sup>6</sup>

In emergency situations, particular attention must be given to child safeguarding when hiring new staff, despite the time pressure (e.g. through obtaining several references).

It is also important to coordinate closely with child safeguarding actors in the respective country to receive and share the latest news (e.g. ministries or social service departments, UN clusters or similar mechanisms, UN organisations such as UNICEF or the International Organisation for Migration, as well as other non-governmental organisations).

If the partner organisation does not have its own child safeguarding policy satisfying the standards of this policy, qualified staff at terre des hommes will give the partner organisation an introduction to the child safeguarding issue and the special rules for emergency assistance.

A partner organisation that signs a contract with terre des hommes on a humanitarian assistance project must commit to this child safeguarding policy. This means that it

- appoints a contact person for child safeguarding
- carries out a risk assessment of the project with respect to child safeguarding
- commits to child safeguarding standards for the use of pictures and reports about children
- commits to take appropriate action to deal with allegations of violence against children within the organisation and reports to the terre des hommes Focal Point (see 6.3 Case management)

<sup>6</sup> <https://reliefweb.int/sites/reliefweb.int/files/resources/Minimum-standards-for-child-protection-in-humanitarian-action.pdf>



Children need special protection after humanitarian disasters: a terre des hommes project after the earthquake in Nepal in 2015

## 6. Responses to child-safeguarding violations

In order to ensure reporting and responses to infringements of the child safeguarding policy and incidents of violence against a child, terre des hommes practises a culture of openness and exchange. Applied both internally and with its partner organisations, this approach has a preventive effect and allows space for complaints.

Every **infringement of the principles and standards set out in the child safeguarding policy** shall give grounds for disciplinary measures or action under employment law and, in the case of partners, under contract law.

An infringement of the child safeguarding policy by a member of terre des hommes will, depending on its seriousness, lead to a warning, to exclusion from the association and/or be reported to the police.

This section sets out a fixed procedure for the **handling of incidents of child safeguarding violations that directly affect a child**. Every staff violation of child safeguarding that has criminal law relevance and has been proved by reliable evidence shall give grounds for dismissal and bringing charges.

There are various ways in which terre des hommes staff, association members, project partners and children can lodge complaints. For children, these ways are kept as accessible as possible: e.g. going to a complaints session at events, filling out feedback sheets, using feedback boxes, and speaking to contact persons or safeguarding committees. Other opportunities are tied into the project methods (e.g. focus group discussions). Children are given relevant extracts from the child safeguarding policy in language appropriate to them, and the projects include information to raise their awareness of situations of rights violations.

### 6.1 Principles of handling a case of suspicion

Reports of a child safeguarding violation may stem from many different sources – e.g. from staff, association members, other volunteers, members of partner organisations, the child's relatives or friends, or by the child themselves. terre des hommes takes all doubts and reports seriously and acts according to the following principles:

- The **child's welfare** always comes first.
- The **child must be listened to** and account taken of their views and wishes.
- Accusations reported and all investigations shall be handled with **strict confidentiality**. The identity of the children concerned, whistleblowers and accused persons shall be appropriately protected. Only the persons responsible for handling the case shall have access to information about it.
- Both the child concerned and the presumed offender shall be treated **with respect** during the whole process.
- If the child needs **additional protection** and **further support**, specially qualified organisations will be brought in.
- If necessary, **contact** will be made with other children's aid organisations in order to offer additional support through them.
- During the investigation of suspicious cases, the **laws applying in the country concerned must be respected and followed**.

### 6.2 Assistance for the child concerned

terre des hommes is responsible for arranging assistance for the child concerned. This applies particularly if a child has suffered harm by a staff or volunteer, or another person having access to the child through terre des hommes. terre des hommes provides the necessary means to take the following action:

- If the child needs immediate protection, this can be guaranteed by a **safe place** and a special person of trust. It must be guaranteed that the suspected or accused person cannot go near the child and do him or her further harm.
- The parents or guardian of the child shall be informed. The child's **immediate needs**, e.g. medical care, **shall be met**.
- Depending on the respective legal system it is possible that the court will not admit the child's statement, if they are in psychological counselling or therapy. This applies e.g. in Germany. It is therefore

advisable for the police or the court to take down the **child's statement as soon as possible** and before the beginning of any psychosocial counselling. This decision must be taken jointly by the child and his or her parents or guardian.

- The child should be **interviewed by a qualified person**.
- **Effective non-judicial agreements**, along with processes of gradual reparation or efforts to raise safeguarding standards in the child's environment must be taken separately from, or parallel to, the bringing of charges.
- **The child must be informed** about all steps taken.

## 6.3 Case management

### 6.3.1 Information and documentation

When staff of terre des hommes notice or hear of an **infringement of this child safeguarding policy directly affecting a child** they will take immediate action. Important information about the incident is documented using the terre des hommes reporting form and continually updated. Person-related data is saved and processed only for the purpose and duration of the investigation into the case. This data is dealt with confidentially. Tip-offs can be made anonymously, or the whistleblower may consent to their data being saved for the purpose and duration of the investigation. Information from statements by children should be based on verbatim minutes or audio recordings. The responsible Focal Point in the regions or in Germany will ensure the completeness of the information, the investigation and the final documentation of the case reported.

### 6.3.2 Fundamental points about privacy in case management

In the area of application of the General Data Protection Regulation (EU GDPR) a legal basis is required for processing person-related data when handling a case. This legal basis can arise from Art. 6(1)f) GDPR, which provides for a weighing-up of interests. A procedure to report misconduct involves the risk of victimisation and stigmatisation for the person alleged to be the offender. Consequently, particular care must be taken in examining which of this person's interests are

worthy of protection in the event of concrete suspicions pointing to relevant misconduct. The terre des hommes data protection officer may be brought into this matter.

Another legal foundation is Art. 88 EU GDPR in connection with §26(1) sentence 2 Federal Data Protection Act. The latter says: "Employees' personal data may be processed to detect crimes only if there is a documented reason to believe the data subject has committed a crime while employed, the processing of such data is necessary to investigate the crime and is not outweighed by the data subject's legitimate interest in not processing the data, and in particular the type and extent are not disproportionate to the reason." Here, too, there is a need to weigh up interests and the terre des hommes data protection officer may be consulted.





The child's welfare is our prime concern: we protect the identity of children affected by violation of their rights

The first individuals with a right to access data when a case is reported are the members of the Child Safeguarding Committee. If necessary, other external persons will be brought into the case. In the event of a report from abroad, the appropriate persons at the local level will be involved as well.

If the cases of suspicion prove groundless, all personal data collected and processed in this context must be deleted.

In cases of suspicion with an international connection outside the area of application of the EU GDPR it may be necessary to take account of country-specific privacy rules, if available, when dealing with the case.

### 6.3.3 Case management procedures

Information on an incident relevant to child safeguarding recorded in the reporting form should enable the Child Safeguarding Committees in the head office or regional offices to undertake a provisional classification of the case:

#### a) The suspicion is unsubstantiated

The case is closed, personal data is deleted; the persons who reported the case are informed.

#### b) The suspicion is confirmed

When actual and relevant misconduct towards a child under the safeguarding policy has occurred or there is hard evidence of a situation relevant to criminal law, an internal or external investigation will be carried out by professionally qualified (neutral) persons, or the law enforcement authorities are contacted (in Germany there is no hesitation about going to the police).

#### I. Procedure if terre des hommes staff, members or persons who have access to children in Germany through terre des hommes are suspected of committing a child safeguarding offence

1. Any suspicion of violation of child safeguarding must be reported to the Focal Point at the head office, the elected representative of the workforce on the Child Safeguarding Committee (CSC) there, or the external professional advisor. Volunteers may report a suspicion to the contact persons for child safeguarding mandated by the Presidium. These mandated volunteers will fill out the reporting form.
2. The completed reporting form shall be forwarded to the Focal Point for Child Safeguarding at the head office **within 48 hours** of reporting the case. He or she will immediately convene the CSC.
3. The CSC will analyse the case and propose the next steps for further internal investigation, if necessary, outlining how to safeguard the child and how to approach the suspect. A member of the CSC shall inform the member of the Executive Board responsible.
4. During the initial process of the investigation, the persons who are subjects of concern shall be immediately prevented from access to children until the suspicion is cleared up, to ensure an impartial investigation free from undue influence.

5. If the case of suspicion proves groundless, the case will be closed and all personal data collected and processed in this context must be deleted. All persons concerned will be informed.
6. If the suspicion is confirmed, further investigations shall be taken up. While an investigation is underway it may be necessary to discreetly inform other terre des hommes staff and get them involved, as appropriate:
  - a. If there is a breach of the child safeguarding policy, yet without relevance under criminal law, employment-law or disciplinary measures will be taken, depending on the role of the person concerned, e.g. a warning, dismissal, expulsion from the association or ban on participating in project trips. The final report shall be archived. All personal data shall be deleted in order to take account of the legitimate interests of the person concerned.
  - b. If there is firm evidence substantiating the suspicion that the person concerned has committed a crime, the German law enforcement authorities must be informed immediately. After consultation with the CSC, a member of the Executive Board shall serve as a contact person for the police. In the event of media inquiries, the chief press officer will be involved. The Focal Point for Child Safeguarding will follow up and document the further management of the case. After the court ruling the case will be closed and archived; the persons involved will be informed about this. All personal data will be deleted.
2. The regional CSC shall analyse the case and, if necessary, propose new steps for further internal examination, also explaining how to safeguard/guarantee the protection of the child and how to approach the suspect.
3. The CSC shall send the whole documentation and its recommendations to the regional coordinator, the Focal Point for Child Safeguarding in the head office and the representative of the Programmes division **within 48 hours** of receiving it.
4. The Focal Point in the head office reports to the Child Safeguarding Committee (CSC) which will consider and take further steps. The responsible member of the Executive Board shall be informed.
5. If the case of suspicion proves groundless, the case will be closed and all personal data collected and processed in this context must be deleted. The persons who reported the case will be informed.
6. If the suspicion is confirmed, further investigations shall be taken up. While an investigation is underway it may be necessary to discreetly inform other terre des hommes staff and involve them, as appropriate. If the regional office responsible needs special services, e.g. legal support or advice, terre des hommes will seek support from qualified external experts.
  - a. If there is a breach of the child safeguarding policy, yet without relevance under criminal law, disciplinary or employment-law measures will be taken, depending on the role of the person concerned, e.g. a warning, dismissal, expulsion from the association or ban on participating in project trips. The final report will be archived and the personal data will be deleted.

## **II. Procedure if terre des hommes staff, association members or persons who have access to children in the project countries with a regional office structure are suspected of committing a child safeguarding offence**

1. The regional Focal Point shall receive the reporting form or personally fill it out and send this documentation of the incident immediately to the regional CSC.
  - b. Outside Germany, in the case of firm evidence that the person concerned has committed a crime, the appropriate government authorities must likewise be brought into the case, to the extent that a fair trial can be expected. In any case the project partner must be informed and, depending on the role of the person concerned, disciplinary measures taken or action under employment law. It may be necessary to involve the competent embassy or consulate. The regional Focal Point will follow up and document the further management of the case. After a court ruling the case will be closed and archived; the persons involved will be informed about it. All personal data will be deleted.

### III. Procedure if terre des hommes staff, association members or persons who have access to children in the project countries without a regional office structure are suspected of committing a child safeguarding offence

1. A local staff member shall use the reporting form to document the incident and send it directly to the Focal Point in the head office and the representative of the Programmes division **within 48 hours** of reporting the case.
2. The Focal Point in the head office shall report to the Child Safeguarding Committee (CSC), which shall consider and take further steps. The responsible member of the Executive Board shall be informed.
3. The procedure continues as from II(5)ff. above.

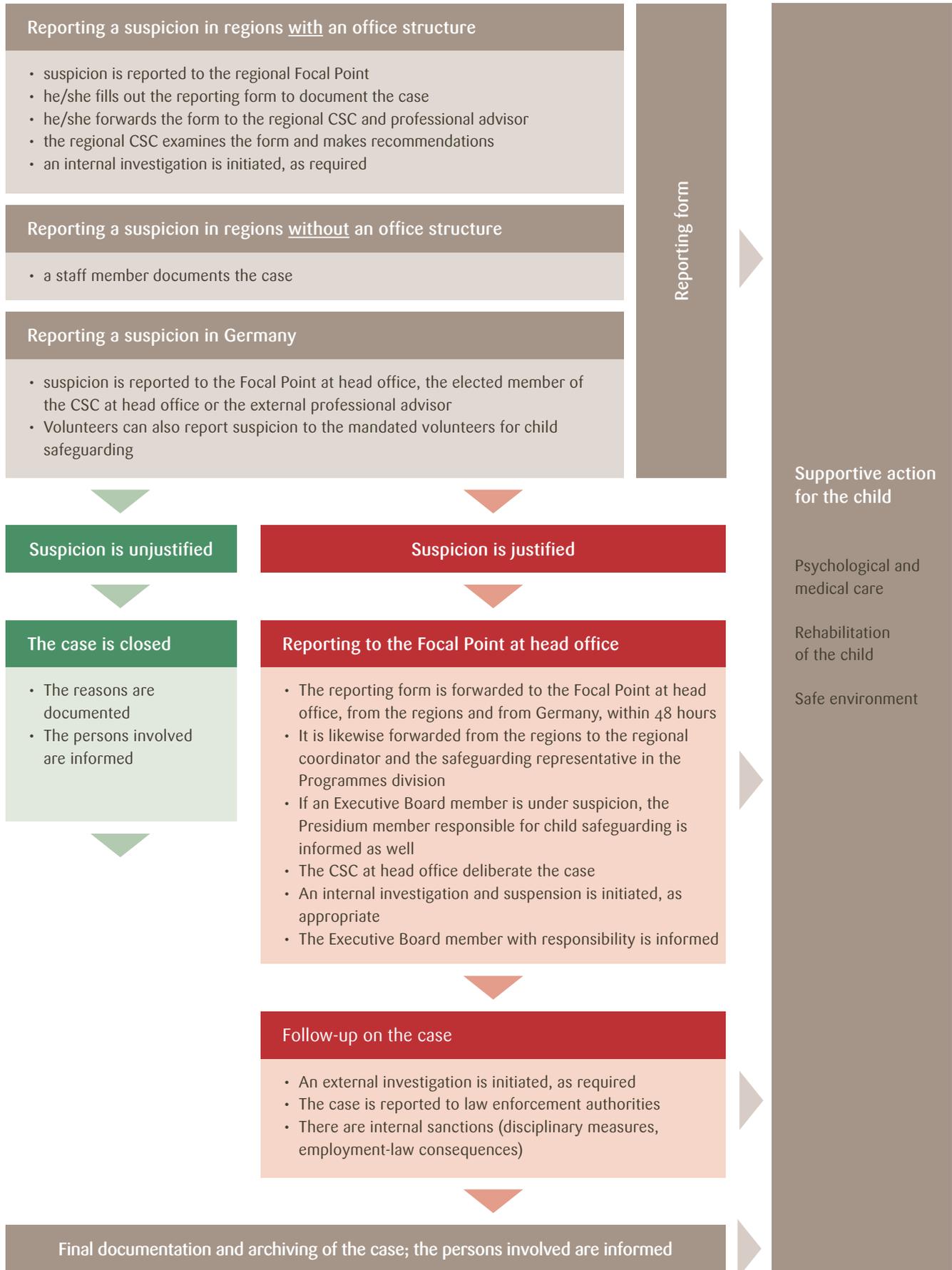
### IV. Procedure if a member of the Executive Board is suspected of committing a child safeguarding offence

1. Any suspicion that a member of the Executive Board has committed a child safeguarding offence shall be reported immediately to the Focal Point in the head office, the representative of the Programmes division, the elected representative of the workforce in the CSC or the external professional advisor. The person contacted will fill out the reporting form.
2. The procedure continues as from I(2)ff. In addition, the member of the Presidium responsible for child safeguarding shall be informed. The Presidium shall decide on the case in cooperation with the CSC.

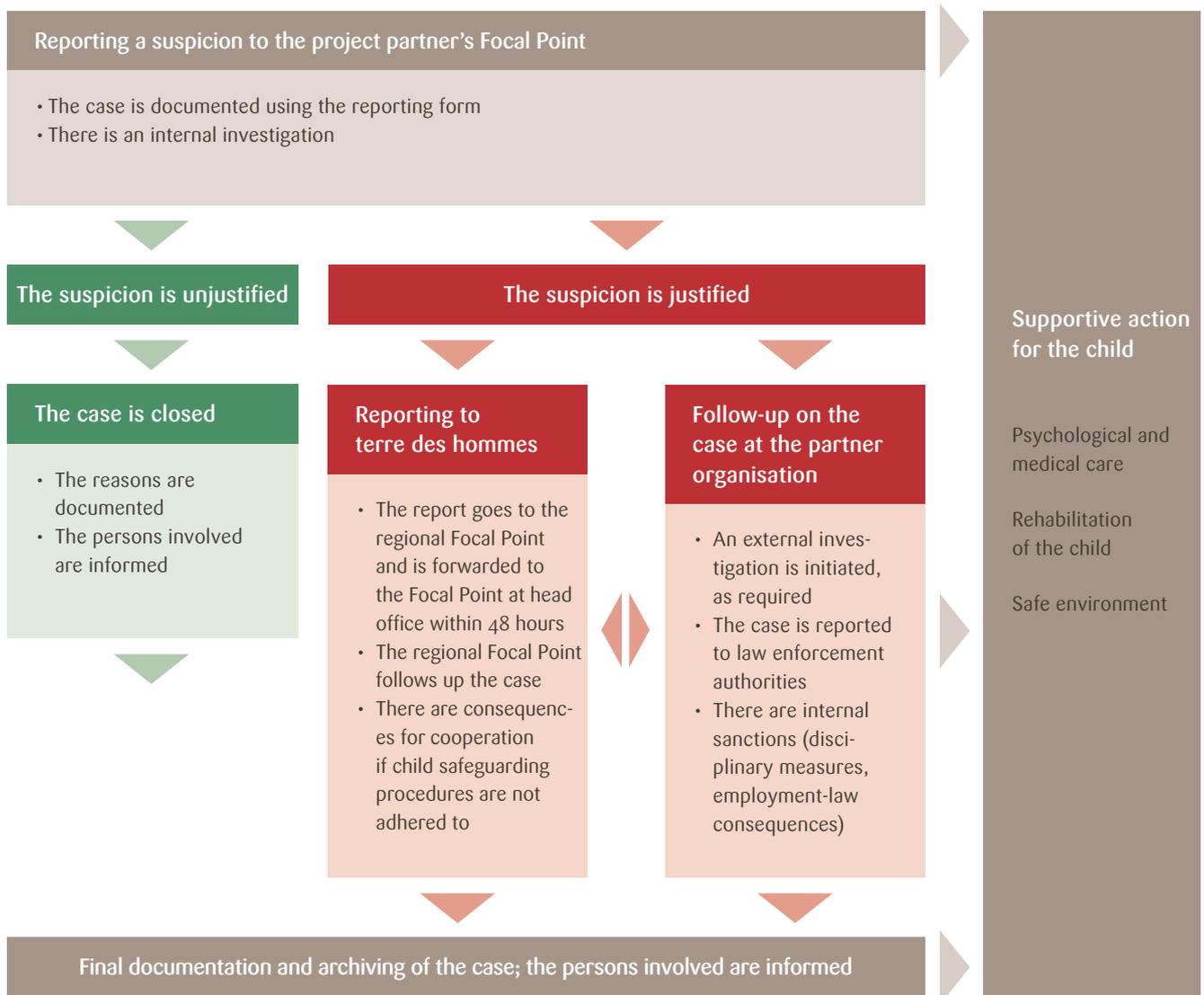
### V. Procedure if a terre des hommes project partner organisation is suspected of committing a child safeguarding offence

1. Basically, the partner organisation is responsible for handling any internal child safeguarding concern raised by one of its staff, volunteers or visitors. The contract with terre des hommes stipulates that every partner organisation shall take all possible measures to safeguard children, investigate incidents and notify terre des hommes Germany.
2. Whenever there is justified suspicion of a staff or volunteer of the partner organisation causing harm to children, the persons responsible at terre des hommes, e.g. country coordinators, must document the case immediately using the prescribed reporting form. Furthermore they must guarantee the safety of the child.
3. This documentation must be forwarded to the responsible regional Focal Point for Child Safeguarding **within 48 hours** of reporting the case. The regional CSC shall be informed.
4. If the incident calls for further investigations, the regional Focal Point must forward the **anonymised documentation within 48 hours** to the Focal Point in the head office and to the representative of the Programmes division. They will inform the CSC in the head office, which will consider and take further steps. The responsible member of the Executive Board will be informed.
5. The Child Safeguarding Committees in the region and in the head office must clarify the role of terre des hommes in this incident and the possible consequences for collaboration with the local organisation.
6. The Focal Points of any other organisations in the Terre des Hommes International Federation working in the same country shall also be informed.
7. The Focal Points in the region shall follow up the case and report on it until it has been cleared up and closed. After the closure of the case, all personal data that has been collected and processed regarding the parties concerned will be deleted.

## Standard procedure for a suspected violation of child safeguarding by staff of terre des hommes or persons who have access to children via the organisation



## Standard procedure for a suspected violation of child safeguarding by a terre des hommes project partner organisation



## 7. Monitoring and evaluation

terre des hommes is committed to the ongoing monitoring, evaluation and, if necessary, adaptation of its child safeguarding procedures. Implementing and ensuring compliance with the policy is the responsibility of the Executive Board. The Child Safeguarding Committee (CSC) takes the lead in checking on compliance with the safeguarding policy and enhancing standards and procedures.

That involves taking the steps with the aid of these instruments:

CSC in the head office and the regional CSCs meet regularly to monitor the implementation of the annual safeguarding action plans and take them forward as appropriate.

Through an annual self-audit using both a questionnaire and an annual narrative report, terre des hommes gains a regular overview of how the essential elements of the child safeguarding policy are being put into practice. This overview includes cooperation with partner organisations, highlighting positive impacts but also revealing deficiencies and points at which action is needed. It forms the basis for annual action plans aiming to close gaps in the policy and reduce the risks that have been noted.

The whole policy will be reviewed in terms of its topicality, effectiveness and relevance at least every three years – if necessary, earlier. The CSC will discuss how to update standards and procedures or introduce new ones, and make proposals to the Executive Board. Any necessary changes will be taken into account in the annual action plan.

How terre des hommes partner organisations implement the child safeguarding policy will be regularly checked by the responsible terre des hommes staff during project visits, at annual partner meetings and in project reports, as well as through external evaluations.

terre des hommes will discuss child safeguarding with other specialist organisations at the national and international level, and continue to raise its quality. terre des hommes is an active member of VENRO, the association of German development and humanitarian NGOs, which provides a national platform for such discussions. At the international level, terre des hommes is active in the safeguarding working group of the Terre des Hommes International Federation (TDHIF), which is a founding member of Keeping Children Safe. The TDHIF applies the standards set by this international network, which has certified it as a “safe organisation for children”.

terre des hommes Germany gives an account of its institutional implementation and development of child safeguarding in its annual reports, and also in that of the TDHIF.

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Find more information  
and documents on  
child safeguarding on  
[www.tdh.de/kindesschutz](http://www.tdh.de/kindesschutz)



## UN Convention on the Rights of the Child, article 19

(1) States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.

(2) Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement.

 terre des hommes  
Help for Children in Need