

# SASDB CHILD PROTECTION POLICY (Annexure D)

---

## 1. Mission

It is the policy of the South African Schools Debating Board (SASDB) to safeguard the welfare of all children under its aegis by protecting them from physical, sexual, verbal or emotional harm, or the neglect that allows such harm to occur. The SASDB also seeks to extend child protection guidelines and a tradition of ethical and safe conduct in its agents, namely Provincial Boards, especially when members and/or SASDB agents convene with children at SASDB events such as the National Schools Debating Championship (NSDC).

Accordingly, the SASDB is committed to:

- recognising the political affiliation, health and ability status, sex, gender, sexual orientation, culture and religious diversity of South Africa's youth;
- approaching the above diversity in a way that is fair and undiscriminating;
- respecting the rights, wishes and feelings of the young people with whom it is working and building a relationship of trust;
- considering the well-being of young people when planning for or undertaking any decisions and activities;
- protecting the safety and well-being of young people who are placed in its care, especially in times where its agents are their adult supervision;
- communicating with and seeking permissions from parents or legal guardians as appropriate;
- taking all reasonable, practical steps to protect them from physical, sexual and emotional abuse;
- ensuring it and its agents act within the principles of South African law and the United Nations Convention on the Rights of the Child.

## 2. Aims

The aims of the Child Protection Policy are to:

- provide clear guidelines to prevent harm;
- provide clear guidelines to follow in the event of potential/actual abuse;
- ensure that this policy is accessible to agents and can realistically be implemented.

## 3. Use

### 3.1. Who MUST use the Policy

The SASDB must always use this policy for children falling under its aegis namely:

- All children attending the National Schools Debating Championship
- SA Academy
- SA Academy Team
- SA Trials
- SA Team

The SASDB must always use this policy for agents falling under its aegis namely:

- All members of the NEC
- Anyone hired by or mandated to act on behalf of the SASDB, for example coaches paid to train at SASDB Boot Camps.

### 3.2. Who MAY use the Policy

Any SASDB member may choose to adopt the policy or refer to the policy as a guideline.

## 4. Legal Framework

This document does not stand in place of the law and in no way removes the responsibility of individual agents or members to know and behave in accordance within the law. The SASDB draws on the spirit of the UN Convention on the Rights of the Child, The Bill of Rights and the spirit of fair treatment. However, the legal framework adopted is that of

The Children's Act no 38 of 2005(as amended by the *Children's Amendment Act no 41 of 2007*)

4.1. The Act defines child abuse as one of the following:

- physical abuse
- sexual abuse
- psychological abuse
- deliberate neglect

4.2. According to the Act, all people in positions of authority who have reasonable grounds to suspect that child abuse may be taking place, must report abuse, including:

- Police officers
- Doctors and Nurses
- Religious leaders
- Educators
- Traditional leaders
- Volunteers
- Social workers

4.3. Any person in the community who suspects that a child may be abused, should inform one of these people.

## 5. Definitions

These definitions are largely but not exclusively informed by statute, largely the Sexual Offences Act. A person may be guilty of an offence and subject to internal and external disciplinary action where they commit an act not defined by this section but which is covered by the Sexual Offences Act and/or other appropriate legislation.

5.1. **Child** means a person under the age of 18 years

- 5.2. **Violence** is any activity or conduct by a person, organisation or context that does not allow a person to reach their human rights. This can be: verbal, physical, emotional, armed conflict, political.
- 5.3. **Child exploitation** is exposure of a child to the certain situations including but limited to: child labour, slavery, sexual exploitation, child-pornography, child trafficking, forced removal of body parts.
- 5.4. **Physical abuse**, is any act or conduct that results in inflicted injury or death to a child. This can include but is not limited to bruises and welts, cuts and abrasions, fractures or sprains, poisoning, burns, and any repeated injury for which the explanation is inadequate or inconsistent.
- 5.5. **Emotional and psychological abuse** is a pattern that harms or limits a child's emotional development or sense of self-worth. It can include but is not limited to: criticism, threats or rejection, ignoring, isolating, taking advantage, corrupting, swearing at a child & lying to a child.
- 5.6. **Sexual abuse** involves forcing or enticing a child by means of physical or emotional threats, subjection to physical, emotional or psychological abuse or any other conduct, to take part in sexual activities. This holds even cases where the child is over the age of consent but was forced or enticed. In instances where the child is below the age of consent, it is abuse whether the child has consented or not. This can include but is not limited to flashing, peeping or forced nudity, fondling, exposure to pornographic material, oral sex, finger penetration of the anus, rape, sodomy or prostitution.
- 5.7. **Neglect** constitutes the failure to act reasonably where a duty is owed to cater to the physical, medical, emotional, physiological and psychological needs of the child.

## 6. Rights and Responsibilities

### 6.1. Rights of the Child

I have the right not to be hurt.

I have the right to be protected from physical, sexual and emotional harm.

I have the right to speak and to be taken seriously, and I have the responsibility to tell the truth

I have the right to be treated equally no matter my race, gender, language or religion, and I have the responsibility to treat others equally.

I have the right to privacy, and the responsibility to respect the privacy of others.

I have the right to be protected from cigarettes, alcohol and drugs, and I should not use substances that will harm me

I have the right to proper care and the responsibility to be the best person that I can be

## **6.2. Responsibilities of Adults**

- they observe the Rights of the Child;
- their behaviour is fair, responsible and open at all times;
- they observe the rules established for the safety and security of young people;
- they follow the procedures following suspicion, disclosure or allegation of child abuse;
- they recognise the position of trust in which they have been placed

## **7. Procedures for the Protection of Children**

### **7.1. Preventative**

#### **7.1.1. Dissemination of Information**

- the SASDB NEC must always know the Child Protection Policy well
- the Child Protection Policy must be shared with new NEC agents
- the Child Protection Policy must be shared with all Provincial Boards
- the Child Protection Policy must be shared with any other affiliated organisations working with the SASDB and/or the children under its aegis
- aspects of the Child Protection Policy should be explained to children where relevant and appropriate

#### **7.1.2. Finding Persons Unsuitable to Work with Children**

The call for applications for any office bearer must include a request to disclose if the applicant has ever been a) charged with or b) prosecuted for child abuse or neglect. Where the applicant answers yes to the former, the application assessment process should take that into account. Where the applicant answers yes to the latter, the applicant must be declined. This is a non-negotiable rule.

The SASDB should also consider past and current internal complaints against any applicant or member as a safe guard for ensuring the safety of children. The more frequent and severe in nature are the claims, the more caution the SASDB should exercise in tasking those agents with working with children. This is a discretionary function exercised by several organisations in general and the SASDB in particular.

### **7.2. Corrective**

In the event of a child alleging abuse or in the event of suspected abuse where a child has not come forward

#### **7.2.1. How to Respond to a Child's Allegation of Child Abuse**

1. Listen to the child
2. Believe the child
3. Thank the child for having courage to talk to you
4. Tell the child that it was not his or her fault

5. Explain confidentiality – that although the child has disclosed in confidence, you as the adult need to report to the right authority, like a social worker, so that the child can get help and support
6. Explain that the SASDB has a policy to help you help the child address this situation
7. Address the child's concerns
8. Recognise and be sensitive to the child's feelings and fears
9. Reassure them you will find support for them

### **7.2.2. What One Should Not Do**

1. Investigate the alleged/suspected abuse on your own
2. Remove the child unless the child is in immediate and serious danger
3. Confront the alleged/suspected abuser or the child's parents
4. Decide if the child is telling the truth or not
5. Over-react when a child tells you of the abuse – listen kindly and calmly
6. Make any promises to the child that you or the SASDB can't keep
7. "Bad mouth" the alleged/suspected abuser

### **7.2.3. What One Should Do**

1. Report the abuse immediately to the President of the SASDB via email or to the Vice President if the President is the accused/one of the accused. Any NEC member may be contacted in the event of both the Vice President and the Vice President being accused.
2. The following details must be included in the report:
  - a. Name, surname and age of the child
  - b. Physical address or contact details of the child
  - c. Information on parents or care giver details
  - d. The type of abuse you suspect/child alleges has occurred, and any other details you have (without investigating the abuse)
  - e. Lastly your details although anonymous reports will be accepted and investigated. Even where not anonymous, the procedure tries to maintain the confidentiality of the reporter except in court of law.
3. In cases of allegation, inform the child that you have taken steps to improve their situation

### **7.2.4. What the SASDB will do in the Event of Alleged/Suspected Child Abuse**

In the case of the criminal, and of the non-criminal Dismissal Offences, the accused will be immediately suspended pending the outcomes of investigation. If their position as a SASDB agent is vital and time sensitive, the SASDB will seek to fill the position.

#### **7.2.4.1. Criminal**

In the event that the suspected or alleged abuse constitutes illegal action, the SASDB has the moral responsibility according to the Children's Act to report cases or suspected cases of child abuse to police, social worker or any Child Protection organisation in the relevant area. Criminal child abuse is defined as physical abuse, sexual abuse, psychological abuse, deliberate neglect. (see Definitions for further detail)

#### 7.2.4.2. Non-Criminal

In the event that the suspected or alleged abuse constitutes borderline action that may be seen as indicators/precursors to abuse, neglect or general harmful behaviour, the SASDB may investigate the situation on its own according to the following steps:

1. Confer with original reporter and/or child separately
2. Record the information gathered
3. Notify the accused and allow them to make representation
4. Verify or dismiss the claim.

Where the harmful action is proved true, see the following disciplinary guidelines:

a) Immediate Dismissal Offences

This includes any other offence not listed in this section that is considered to be so serious in nature that the SASDB NEC thinks it appropriate that dismissal is the correct action and/or a repeat of any offence listed as being less serious than this category but which repetition the SASDB NEC judges as being serious enough to dismiss the offender. In the event of such an occurrence, the SASDB will then include the previously unlisted offence under the list of offences.

- Possession of pornography at an SASDB event
- Allowing / encouraging nudity among minors
- Allowing / encouraging nudity among minors and adults
- Allowing mixed male and female nudity
- Racial or Religious verbal abuse
- Sexual intercourse or other sexual relations with a minor schools speaker over the age of consent

b) Final Written Warning Offences

This includes any other offence not listed in this section that is considered to be so serious in nature that the SASDB NEC thinks it appropriate that a Final Written Warning is the correct action and/or a repeat of any offence listed as being less serious than this category but which repetition the SASDB NEC judges as being serious enough to dismiss the offender. In the event of such an occurrence, the SASDB will then include the previously unlisted offence under the list of offences.

- Failing to act after discovering speakers who have acquired pornography
- Failing to act after discovering speakers who have acquired illegal substances
- Forcing a child to do things that go against their religion, e.g. forcing a child to eat something forbidden by their religion or denying a child reasonable opportunities for religious observance
- Bullying or allowing bullying to continue
- Threatening, humiliating, swearing at or belittling a child

c) Written Warning Offences

d) This includes any other offence not listed in this section that is considered to be so serious in nature that the SASDB NEC thinks it appropriate that a written warning is the correct action and/or a repeat of any offence listed as being less serious than this category but which repetition the SASDB NEC judges as being serious enough to dismiss the offender. In the event of such an occurrence, the SASDB will then include the previously unlisted offence under the list of offences.

- Swearing in front of children
- Excessive shouting constituting verbal abuse

- Enforcing physical forfeits / punishments such as press ups that are beyond the physical ability of the individual
- Depriving a child of sleep
- Inconsistent discipline
- Failing to act after discovering speakers who have acquired cigarettes

## 8. Communication and Reporting

### 8.1. Communication

The SASDB will keep any involved bodies informed of developments, including but not limited to:

- the reporter
- the accused
- the child – through their parents and/or legal guardian
- any mediatory body like Child Line where appropriate
- the police where appropriate
- SASDB legal council where appropriate
- any member body who the accused individual may work with

### 8.2. Reporting

The SASDB will undertake after-the-fact reporting to members via email. These reports will remain nameless where no or warning action was taken. Where legal/criminal and/or dismissal action was taken against someone, that person will be named in the report and the general crime or offence given. The reporter and child/children will remain anonymous. This will allow member organisations to make an informed choice regarding working with the dismissed individual in the future, and entrusting children to them.

## Annexure

Where the SASDB Can Report Criminal Abuse Issues

### **CHILDLINE – 0800 55 555**

#### **The Childline Crisis line**

Childline is perhaps best known for its nationwide toll-free and 24-hour telephone service which is often the first place distressed children and adults turn to. Our trained counsellors provide information, support and assistance to often desperate children and their families. The crisis line deals with approximately 600 000 calls from children and adults every year, many of which result in cases of child abuse being opened. Counsellors log each call which enables us to keep accurate and updated statistics of the issues affecting children in our time.

The nature of the calls relate to issues and problems that include:

- Children and physical, emotional & sexual abuse
- Abduction & kidnapping of children
- exposure & witness to domestic &
- school problems & bullying
- substance abuse
- poverty & access to social grants
- disabled children at risk

- criminal violence
- pornography
- begging
- discrimination
- homelessness & neglect
- behavioural problems
- family relationship issues
- legal issues

- HIV/Aids
- sexuality
- trafficking & prostitution of young boys & girls
- parenting skills
- physical (e.g. anorexia) & emotional (e.g. suicide) health
- refugee children & their rights