



## **CHILD AND YOUTH SAFEGUARDING GUIDELINES**

### **PURPOSE**

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By increasing access to financial inclusion and youth education to those who need it most, Mastercard Foundation (the “Foundation”) is enabling people to realize their potential and lift themselves out of poverty through collaboration with committed organizations that share similar values and objectives. Throughout all our efforts, we are dedicated to providing a safe environment for Youth (as defined below) who participate in programs of the Foundation, wherever they may be carried out. The Foundation is committed to upholding The Universal Declaration of Human Rights, and all organizations that work as contracted parties with the Foundation are required to comply with the entirety of that convention, applicable key principles of which have been incorporated into the minimum guidelines contained within this document.

This document outlines the minimum guidelines for policies to protect Children and Youth (“Guidelines”) which are required to be adhered to by all organizations that work with the Foundation in carrying out its programs involving Children and/or Youth. The Guidelines illustrate the Foundation’s commitment to support and respect Child and Youth rights to be protected from violence and abuse. It articulates the Foundation’s zero tolerance approach to the abuse and exploitation of Children and Youth and the Foundation’s commitment to provide a safe environment for Children and Youth who are involved with any programs of the Foundation.

### **STATEMENT OF PRINCIPLES**

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Article 19 of the UN Convention on the Rights of the Child asserts children’s right to protection ‘from all forms of physical or mental violence, injury and 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 care of the child.

The Universal Declaration of Human Rights recognizes fundamental human rights, the dignity and worth of people at any age and in the equal rights of men and women.

Abuse and exploitation of Children and Youth occur throughout the world and in all societies, and involves the physical, sexual and emotional abuse of Children and Youth. The Foundation endorses the principles and articles of The Universal Declaration of Human Rights and is committed to supporting and respecting the rights of Children and Youth and protecting them from harm. The Foundation takes its responsibility to protect Children and Youth from all forms of violence very seriously and will not tolerate any form of abuse or exploitation of Children and Youth in the programs of the Foundation.

### **SCOPE**

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The Guidelines contained within this document apply to all organizations and individuals who are involved in carrying out Foundation programs directed at assisting Children and Youth. These include, but are not limited to: contractors, sub-contractors, (including their employees, volunteers, directors and officers and any other personnel), as well as any consultants or affiliates that may

work with such contractors or subcontractors, as applicable (collectively referred to as “Organizations” throughout this document).

All Organizations are required to adopt their own policy to protect Children and Youth that reflects the Guidelines contained herein as minimum requirements, subject to applicable local laws as may be recommended by legal counsel for each Organization. The Child and Youth safeguarding policy for each Organization may, in the discretion of the Organization, reflect requirements that exceed the Guidelines that are contained in this document, but they may not be lower.

## DEFINITIONS

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The Child and Youth safeguarding policy for each Organization needs to reflect the definitions below. The definitions also apply to the Guidelines and to this document as a whole.

**Abuse** includes Physical Abuse, Sexual Abuse, Emotional Abuse and Exploitation;

**Physical Abuse** is the deliberate application of force by any person (including Children, Youth or Other Persons) to any part of the body of the Child and/or Youth, which results or may result in non-accidental harm or injury to a Child and/or Youth. Physical Abuse may include shaking, choking, biting, kicking, burning, poisoning, holding a Child and/or Youth under water, or any other harmful or dangerous use of force or restraint.

**Sexual Abuse** occurs when a person (including Children, Youth or Other Persons) uses a Child and/or Youth for sexual purposes, without the consent of the Child and/or Youth in question. Sexual Abuse includes fondling, intercourse, incest, sodomy, exhibitionism, and commercial Exploitation through prostitution or the production of pornographic materials. Sexual Abuse may include, but is not limited to, permitting, encouraging or requiring a Child and/or Youth to engage in any of the following activities if they occur between a person (including Children, Youth or Other Persons) and a Child and/or Youth:

- using or engaging in sexually provocative language, acts or conduct towards a Child and/or Youth;
- rough-housing or engaging in conduct which involves physical contact with a Child and/or Youth and which is sexually suggestive in nature;
- kissing, fondling, caressing, patting or pinching a Child and/or Youth or engaging in sexual intercourse or other sexual conduct designed to sexually stimulate either or both of Organizational Personnel and Child and/or Youth;
- using sexual remarks, jokes, innuendo or taunting about a Child and/or Youth’s body or sexual orientation or uttering, either verbally or in writing, invitations, requests or sexually suggestive remarks or displaying pornographic or sexually suggestive material to a Child and/or Youth;
- conduct of a sexual nature for the stimulation, gratification, profit and self-interest of Organizational Personnel who are in a position of trust or authority or with whom the Child and/or Youth are in a relationship of dependency; and/or
- prostitution or production of material of a pornographic nature.

**Emotional Abuse** involves actions towards a Child and/or Youth that cause or could cause serious behavioural, cognitive, emotional, or mental disorders in the Child and/or Youth. Emotional Abuse also occurs when a person (including Children, Youth or Other Persons) makes verbal threats, socially isolates a Child and/or Youth, intimidates, Exploits, terrorizes, or routinely makes unreasonable demands on a Child and/or Youth.

**Exploitation** refers to situations whereby an abuser makes unfair profit and/or takes advantage of unequal power and/or economic status of a Child and/or Youth.

**Neglect/failure to provide** occurs when a Child's parent(s)/legal guardian(s) or caregivers do not provide the requisite attention to the Child's emotional, psychological, or physical development when they have the means, knowledge and access to services to do so; or failure to protect the Child from exposure to danger.

**Best Interests of Children and Youth:** The principle of best interests applies to all actions concerning Children and Youth and requires active measures to protect their rights. These measures will promote Child and Youth safety; physical, emotional and developmental needs; well-being of Children and Youth; and support and assist Children and Youth to realize their rights. This includes their participation to ensure that their opinions are heard in matters affecting them.

**Child (or Children)** is defined as any person, of either sex who is under the age of 18 years, unless the national laws in which the Organization is carrying out the Children's programs prescribe a lower age of majority.

**Organization:** All organizations and individuals who are involved in carrying out Foundation programs directed at assisting Youth, which includes, but is not limited to, contractors, sub-contractors, (including their employees, volunteers, directors and officers and any other personnel), as well as any consultants or affiliates that may work with such contractors or subcontractors, as applicable.

**Organizational Personnel:** Includes directors, officers, employees, volunteers, contractors, sub-contractors, consultants, and any other person who performs duties involving Youth either on a volunteer or on a paid basis, whether on a full-time, part-time or temporary basis, for the Organization.

**Other Person** means any person, of either sex, who is older than Youth as defined herein, i.e. "Other Person" means a person who is aged 35 years of age or older.

**Protection of Children and Youth:** The responsibility, actions and measures taken to prevent and respond to Abuse, Exploitation and violence against Children and Youth.

**Youth** is defined as any person, of either sex, who is above the age of 18 years and under the age of 35 years.

## **MINIMUM GUIDELINES FOR CHILD AND YOUTH SAFEGUARDING**

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**All Organizations are required to adopt their own policies regarding the Protection of Children and Youth which reflect the following guidelines as minimum requirements ("Guidelines"):**

## **1. Prevention**

Each Organization must take appropriate measures to address risk factors and prevent Abuse and Exploitation before it occurs. Prevention measures will include organizational policies, procedures and codes of conduct for protecting Children and Youth; highest standard of staff selection, recruitment and verification; capacity building for all those who work with Children and Youth; meaningful youth engagement and participation at all levels; and awareness raising and good practice for minimizing the risks to Children and Youth.

## **2. Screening Procedures**

Prevention measures will include detailed screening procedures for all Organization Personnel who will come into contact with Children and Youth, including the following, as may be applicable in each country: certificate of good conduct, police reference checks or equivalent, verification that applicants are not listed in national registries of Child offenders; a detailed application and interview process; references who support the applicant's suitability to work with Children and Youth. Any certificate of good conduct, police reference check or equivalent that is obtained will be updated by the Organization on a regular basis, where possible.

## **3. Acknowledgement**

Each applicant who wishes to work with Children and Youth will be required to sign an acknowledgment form confirming that he/she agrees to comply with the policy on the Protection of Children and Youth for the Organization and that he/she understands that disciplinary action will be taken against anyone found guilty of Abuse of a Child or Youth.

## **4. Awareness**

The Organization will ensure that all Organizational Personnel involved with Child or Youth programs are aware of Child and Youth protection risks, policies and procedures; including national laws and international instruments, as applicable.

## **5. Risk Assessment**

The Organization will put in place tailored measures to assess, analyze and reduce safeguarding risks associated with the program, partnership with other implementing partners (downstream partners) and the community as well as with functional areas of their organization such as human resources, communication, research, etc.

## **6. Gender Equality and Non-Discrimination**

The Organization will ensure that all policies and procedures to protect Children and Youth take into account gender equality and non-discrimination requirements. Recognizing that women and men may face different risks relating to their safety and protection and that all Children and Youth have the equal right to protection, irrespective of: race; colour; sex; language; sexuality; disability; religion; political or other opinions; national, social or indigenous origin; property; birth or other status.

## **7. Capacity Building**

The Organization will develop the capacity of all Organizational Personnel who work with and for Children and Youth to appropriately prevent, detect and respond to Abuse and Exploitation of

Children and Youth as reflected in these Guidelines. Efforts will be made to ensure organizational policies and practices are understood and can be effectively implemented through on-going training courses for all such Organizational Personnel. The suite of policies will include (1) a policy on appropriate cyber-conduct which outlines rules for behaving properly online and (2) a policy on cyber-bullying which outlines rules on conduct that is derogatory, illegal and/or Abusive towards Children and/or Youth.

## **8. Participation of Children and Youth**

Whenever taking steps to prevent, respond to or monitor incidents of Abuse or Exploitation, Organizational Personnel must consult with the Child and/or Youth on the matters under review. Children and Youth must not be treated as simply objects of concern but rather listened to and taken seriously and treated as individual people with their own views.

## **9. Reporting Mechanisms for Children and Youth**

Mechanisms will be established that enable Children and Youth to safely report any concerns relating to their well-being, safety and protection to the Organization. Children and Youth will be aware of the mechanisms available to them and services will be confidential, Child and Youth-friendly and accessible to Children and Youth. Organizational Personnel will be able to identify and address concerns involving Protection of Children and Youth, taking into account the Best Interests of Children and Youth.

## **10. Response and Follow Up**

Organizational policies and procedures will include appropriate measures to support and protect Children and Youth when concerns arise. All measures taken to respond to Abuse or Exploitation shall respect the rights of Children and Youth, local laws and take into account the best interests of the Child and/or Youth, as applicable, and endeavour to ensure no further harm comes to the Child and/or Youth, as applicable, as a result of any actions taken by the Organization. Efforts to work in conjunction with other service providers, specialists, parents, legal guardians, caregivers and others will be explored when appropriate upon the consent of the Child and/or Youth in question. After any incident or report of Abuse and Exploitation, proper measures will be taken to ensure organizational learning, evaluation and follow up takes place.

The Organization will retain written records of all reports of Abuse of a Child or Youth, including, but not limited to the date of the report and the date of the alleged Abuse, the name and address of the Child and/or Youth and his/her parent(s) / legal Guardian(s) (if applicable); the name of the Organizational Personnel who made the report; the name of the governmental contact to whom the report was made and a clear description of the facts that led to the report; as well as any other available information. The Organization will advise its insurance provider of the complaint of Child and/or Youth Abuse, as applicable, and retain records of any such reports. The Organization will also advise the Foundation of any complaints of Child and/or Youth Abuse either in writing or by email.

All such records will be kept within the files of the Organization in accordance with the privacy and confidentiality policies of the Organization.

## **11. Implementation, Monitoring and Review**

The implementation and monitoring of the policy to protect Children and Youth for each Organization will be designated to a specific employee within the Organization. The designated

employee will have the duty to review the policy at regular intervals as determined necessary by the Organization, preferably at least every three (3) years, where possible.

## **12. Sanction and Discipline of Organizational Personnel**

The Organization will include within their policies to protect Children and Youth a statement indicating that where an allegation is made that Organizational Personnel has committed Abuse of a Child or Youth, the accused personnel will be immediately suspended from all duties with the Organization (with pay, if applicable) to protect Children and Youth from further potential harm. Where Organizational personnel is *convicted* of Abuse of a Child and/or Youth, the said personnel will be immediately terminated with cause from his or her position. Where Organizational Personnel is terminated as an employee or volunteer, such personnel will not be permitted to enter onto the Organization's premises or participate in activities of the Organization following termination.

## **13. Informed Consent**

The Organization will provide Children and Youth with all necessary details to make an informed decision regarding their participation in programs and activities, including any voice recordings, video or photographs of Children and/or Youth. Children and Youth will understand how their images may be used and be supported to identify and evaluate any associated risks. Personal information and/or images of Children and Youth will only be used after informed consent has been obtained in writing from the Child, Youth, and/or their parent(s) / legal guardian(s) (if applicable).

## **14. Protection of Personal Information.**

Personal information regarding any Child or Youth, whether or not such information is obtained as part of the programs involving Children or Youth, will not be disclosed to any third party, except in accordance with the policies of the Organization or as required by applicable local laws. Personal information includes, but is not limited to, any information that can be linked to a Child or Youth or used to identify a Child or Youth.

## **15. Medication:**

An Organization's Personnel will not give or apply any medication to Children.

Organizational Personnel will not give or apply any medication to Youth, unless the Organizational Personnel in question is a doctor, nurse or other professional medical personnel. Organizations will also comply with all applicable laws of the jurisdiction with respect to access by Youth to prescribed medications (such as asthma inhalers).

## **16. Conduct of Organizational Personnel**

Each Organization is required to ensure that their personnel avoid any behaviour or conduct that compromises the safety and Protection of Children and Youth within its activities, operations and programs.

### **Organizational Personnel MUST:**

Prevent

- Be aware of potential risks and take appropriate action so as to minimize risks
- Create an environment where concerns can easily and safely be raised and discussed
- Recognize and remedy potential situations which may lead to violent acts against Children and/or Youth

- Ensure that ALL one-on-one interaction with Children and Youth be done in plain view of other people, i.e. in an open public space, in the same room as another person or in a room with large windows which permits others to clearly see into the room

#### Create a Friendly Environment

- Contribute to an environment where Children and Youth are respected and encouraged to discuss their concerns and rights
- Ensure that Children and Youth are aware of their rights, policies and resources which are available to them if there is a problem
- Work with Children and Youth to define what is acceptable or unacceptable behaviour with Organizational Personnel

#### Report and Respond

- Report to the Foundation any concerns involving protection against Abuse of Children and/or Youth (whether by Organizational Personnel or by Children and/or Youth) and take appropriate actions
- Ensure Children and Youth are well-informed and participate in the decision-making and the types of intervention agreed upon

#### **Organizational Personnel MUST NEVER:**

- Abuse or exploit a Child or Youth or behave in any way that places a Child or Youth at risk of harm
- Exchange money, gifts, employment, goods or services for sex with a Child or Youth, including sexual favours or other forms of humiliating, degrading or exploitative behaviour or any other behaviour that could be deemed exploitative of a Child or Youth
- Have a Child or Youth they are working with stay overnight at their home unsupervised or sleep in the same room or bed with a Child or Youth
- Do things for Children or Youth of a personal nature that they can do for themselves
- Offend, insult, humiliate or degrade a Child or Youth or perpetrate any form of Emotional Abuse
- Discriminate or provide favourable treatment to one Child or Youth
- Restrain A Child or Youth
- Discipline a Child or Youth using any form of physical contact, or emotional or psychological pressure, Abuse or intimidation
- Kiss or coaxing a Child to kiss the Organizational personnel
- Engage in extended hugging, tickling or coaxing of a Child to hug the Organizational personnel
- Touch a Child in any area that would be covered by a bathing suit.
- Carry a Child or have them sit on the lap of the Organizational personnel.
- Be alone with a Child.
- Engage in prolonged physical contact with a Child.

The above is neither an exhaustive nor exclusive list and the Organization will consider all related actions and behaviour which may compromise the rights and Protection of Children and Youth.