

The Hong Kong Girl Guides Association Child Protection Policy

1. INTRODUCTION

- 1.1 As a local youth uniformed group for female, the Hong Kong Girl Guides Association (hereafter referred to as the Association) is devoted to the fulfilment of children's rights, including their rights to protection, as articulated in the United Nations Convention on the Rights of the Child.
- 1.2 The Association is committed to its obligation to adopt all reasonable safeguarding measures to provide a safe environment for children, young people and vulnerable adults. This commitment extends to all individuals working directly with the Association as well as those participating in the Association's activities and programs.
- 1.3 The purpose of this policy and associated procedures is to provide clarity to all on how they should engage with children, young people and vulnerable adults when working for, on behalf of, or in partnership with the Association.
- 1.4 This policy is intended to help us have a common understanding of protection issues, develop good practice across the areas in which we operate and thereby increase accountability of our work.
- 1.5 As part of the Association's policy, this policy establishes our minimum standards. The Mandatory Reporting of Child Abuse Ordinance (Cap.650) requires specified professionals to comply with all relevant legal and statutory requirements.
- 1.6 Any breach of this policy will be treated as a disciplinary matter, which may result in immediate termination of employment contract or withdrawal of volunteer status by the Association, and reporting to the police, Social Welfare Department and relevant regulatory authority, or other bodies.

2. DEFINITIONS

- 2.1 **Abuse** is any behavior that violates an individual's human and civil rights. It can take in the form of physical, psychological, financial, and sexual abuse, neglect, or negligent treatment, or commercial or other exploitation, resulting in actual or potential harm to the health, survival, development or dignity of a child, young person, or vulnerable adult. Abuse can be a single act or repeated act and can be unintentional or deliberate. It can also be an independent or collective action. Abuse often involves criminal acts.
- 2.2 **Child** – Anyone under the age of 18 years.
- 2.3 **Child protection** is a central part of safeguarding issues. It is the process of protecting individual children identified as either suffering or at risk of significant harm because of abuse or program of work. Child protection also includes measures and structures designed to prevent and respond to abuse.
- 2.4 **Discriminatory abuse** is abuse motivated by a vulnerable person's age, race, nationality, gender, sexual orientation, disability, or other personal characteristics.
- 2.5 **Financial or material abuse** includes theft, fraud, exploitation, pressure in

connection with wills, property, inheritance or financial transactions, or the misuse or misappropriation of property, welfare, or benefits.

2.6 **Neglect** is the persistent failure to meet a vulnerable person's basic physical and/or psychological needs, likely to result in serious impairment of his/her health or development. Examples include failure to provide adequate food, clothing and shelter, failure to protect them from physical or psychological harm or danger; failure to ensure adequate supervision (including the use of inappropriate caregivers); or failure to ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, vulnerable people's basic emotional needs.

2.7 **Physical abuse** includes hitting, shaking, throwing, poisoning, burning, or scalding, drowning, suffocating or otherwise causing physical harm, misuse of medication, restraint, or inappropriate sanctions.

2.8 **Psychological abuse** includes emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation, withdrawal from services or supportive networks. Examples include not giving a vulnerable person opportunities to express their views, deliberately silencing them, making fun of what they say or communication between them. It may feature age or inappropriate expectations being imposed on a vulnerable person, which may include interactions that are beyond a vulnerable person's developmental capability.

2.9 **Safeguarding** is an organization's responsibility that its employees, volunteers, partners, vendors, operations and programs do no harm to children, young people or vulnerable adults (together referred to as 'vulnerable people' under this policy); that they do not expose a vulnerable person to the risk of discrimination, neglect, harm and abuse; and that any concerns the Association has about the safety of vulnerable people within the communities in which they work, are dealt with and reported to the relevant organizations or government departments. Safeguarding is also the responsibility that an organization has for protecting its employees and volunteers when they are vulnerable, for example, when ill or at risk of harm or abuse.

2.10 **Serious harm** refers to the four situations specified in Schedule 2 of The Mandatory Reporting of Child Abuse Ordinance (Cap.650), which includes physical abuse, psychological abuse, sexual abuse and life-threatening neglect.

2.11 **Sexual abuse** involves forcing, enticing, or coercing someone to take part in sexual activities, whether the vulnerable person is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing, and touching outside of clothing. They may also include non-contact activities, such as involving a vulnerable person in looking at, or in the production of, sexual images, watching sexual activities, encouraging a child to behave in inappropriate ways, or grooming a child in preparation for abuse (including via the internet). Sexual abuse can be conducted by adults or other children.

2.12 **Specified professionals** refer to those specified in Part 1 of Schedule 1 the Mandatory Reporting of Child Abuse Ordinance (Cap.650), including, but not limited to professionals in the social welfare sector, education sector, and healthcare sector.

- 2.13 **Vulnerable adult** - a person, 18 years or above, who by reason of disability, age, gender, or illness, may be unable to take care of or to protect him or herself against abuse, harm, or exploitation in their context.
- 2.14 **Vulnerable person/people** - for the purposes of this policy, this is an umbrella term which covers children, young people, and vulnerable adults.
- 2.15 **Youth or young people** - individuals aged 15 to 24 - the Association recognizes that this group spans the categories of 'children' and 'adults' but regards young people as having safeguarding needs and requiring distinct consideration aside from younger children and older adults.

3. POLICY STATEMENT

- 3.1 The Association has zero tolerance against abuse and exploitation of vulnerable people. The Association recognizes that safeguarding is everyone's responsibility and has an obligation to put in place reasonable measures to ensure the safety and wellbeing of the vulnerable person with whom we work or serve.
- 3.2 The Association works to the following key principles to protect vulnerable people:
 - 3.2.1 Everyone has equal rights regardless of age, race, gender, sexual orientation, marriage and civil partnership, pregnancy or having a child, gender reassignment, language, religion, political or other opinion, national, ethnic, or social origin. They are protected from abuse and exploitation regardless of property, disability, birth, or other status.
 - 3.2.2 As a local youth uniformed group for female, we endorse the 'United Nations Convention on the Rights of the Child' general principle, that all the rights guaranteed by it must be available to all children without discrimination; and article 19 which accords equal rights to protection for children from abuse. Culture must not be used as an excuse to abuse children, young people, or vulnerable adults.
 - 3.2.3 The best interests of the vulnerable people are paramount and shall be the primary consideration in our decision-making.
 - 3.2.4 The Association will take responsibility to meet our obligations regarding our duty of care towards vulnerable people, and act where we believe that a child, young person, or vulnerable adult is at risk or is harmed.
 - 3.2.5 The Association will ensure that employees and volunteers are introduced to our 'Child Protection Code of Conduct' (Appendix 1) and trained in our procedures as a key part of the recruitment and induction process.
 - 3.2.6 The Association will ensure that all partners are informed of and in compliance with our protection policies and procedures. When collaborating with employees, volunteers, partners or contractors, the Association will conduct due diligence checks to ensure that their protection procedures are consistent and in line with the principles and approaches set out in this policy.
 - 3.2.7 Whereas the Association recognizes that an element of risk exists, and while we may never be able to totally remove this, we need to do all we can to reduce it or limit its impact.

- 3.2.8 The Association respects confidentiality and has a responsibility to protect sensitive personal data. Information should only be shared and managed on a need-to-know basis, that is, access to the information must be necessary for the conduct of one's official duties. Only individuals who have legitimate reasons to access the information are allowed to receive it. Details can be found in the Association's Personal Data Privacy Policy Statement.
- 3.2.9 The Association always seeks to work in ways which are culturally sensitive and that respect the diverse nature of our Movement and the communities in which we work. We recognize that there are many different ways of thinking and taking care of vulnerable people to make sure they are protected. It is acknowledged that protecting these groups of individuals and being culturally sensitive can be a difficult balancing act.
- 3.2.10 The Association commits to monitoring the implementation of the protection policy. This policy will be reviewed every three years if necessary. The Educational Programme Team will submit updates on safeguarding issues to the Management Committee.

4. SCOPE

- 4.1 The responsibilities set out in this policy are obligatory for all employees, volunteers, partners, contractors, or any others engaged in the Association's business. For clarity, this policy is applicable to all employees and volunteers of the Association.
- 4.2 This policy demonstrates how the Association will meet its legal obligations and reassure its employees, volunteers, partners, and members of the public:
 - 4.2.1 That the Association can put in place the expected measures to safeguard and protect vulnerable people.
 - 4.2.2 That they can safely voice any concerns through an established procedure.
 - 4.2.3 That all incidents of abuse or potential abuse are dealt with in a solemn and serious manner.
 - 4.2.4 There is an efficient recording and monitoring system in place.
 - 4.2.5 That employees, volunteers, partners, and contractors receive on the Association's safeguarding and child protection policy.
 - 4.2.6 That a robust safe recruitment procedure is in place.
- 4.3 The Association will also put in place additional procedures that apply to those that work or have contact with children, young people, or vulnerable adults.

5 RESPONSIBILITIES

- 5.1 All employees, volunteers, partners and contractors are obliged to follow this policy and maintain an environment that prevents exploitation or abuse and which encourages reporting of breaches of this policy using the appropriate procedures.
- 5.2 Managers at all levels are responsible for ensuring employees, volunteers, partners and contractors are aware of the policy, supporting the

implementation of the policy at work, as well as creating and encouraging a management culture of child safeguarding. They must ensure that they are responsive, acting immediately if they become aware of any safeguarding problems, and supportive towards employees or volunteers who complain about breaches in this policy.

- 5.3 Aside from specified professionals, the Association's designated child protection committee is responsible for handling reports or concerns about the protection of vulnerable people, in accordance with the procedures that underpin this policy. Specified professionals are required to comply with the legal and statutory requirements to report suspected cases of severe child abuse.
- 5.4 The Association's designated child protection committee members include:
 - 5.4.1 Chief Commissioner
 - 5.4.2 Deputy Chief Commissioner (Region Development)
 - 5.4.3 Deputy Chief Commissioner (Educational Programme)
 - 5.4.4 Chief Executive
 - 5.4.5 Senior Deputy Chief Executive (Child Protection Officer) (Tel: 23596819 / E-mail: cpo@hkgga.org.hk) / Deputy Chief Executive
 - 5.4.6 Relevant department heads
 - 5.4.7 If members of the above committee are unavailable or if the investigation of relevant complaints involves members of the child protection committee, the Chief Commissioner may appoint a Deputy Chief Commissioner as needed to join the child protection committee.
- 5.5 The Child Protection Officer is responsible for:
 - 5.5.1 monitoring and recording safeguarding concerns
 - 5.5.2 ensuring referrals of the problem to the relevant regulatory person without delay
 - 5.5.3 providing the latest training in the protection policy for all employees
 - 5.5.4 ensure this policy is reviewed every three years or earlier if necessary.
 - 5.5.5 ensuring the policy is implemented throughout the organization and providing relevant training.
 - 5.5.6 ensure monitoring and recording procedures are implemented.
- 5.6 Chief Commissioner, Deputy Chief Commissioners and Assistant Chief Commissioners (hereafter referred to as the Commissioners' Team of the Association) are responsible for ensuring the effective implementation of this policy and associated procedures and ensuring that everyone linked with the Association is equipped and supported to meet their responsibilities.
- 5.7 The child protection committee holds ultimate accountability for this policy. Committee members and the Commissioners' Team jointly provide oversight and support on the protection policy.

6 PROCEDURE OVERVIEW

Recruitment and Selection

- 6.1 Safe recruitment and vetting processes are followed by all employees,

volunteers, contractors, and any individual who represents the Association (see the 'employee and volunteer recruitment policy').

- 6.2 Where an employee or other representative of the Association (including tutors and contractors) is engaged in 'regulated activity' (direct work with vulnerable people), a Sexual Conviction Record Check will be undertaken as part of the recruitment process. For details of 'regulated activity,' please contact the Human Resources and Membership Development Team.
- 6.3 All employees, volunteers and other representatives of the Association must read, sign, and abide by this policy and the code of conduct (see appendix 1).

Training and Support

- 6.4 The Association will provide the following advice, support, and training on the protection policy for all its employees and volunteers:
 - 6.4.1 How to handle a disclosed case.
 - 6.4.2 How to handle child welfare concerns.
 - 6.4.3 How to recognize signs of abuse.
 - 6.4.4 What to do if there is suspicion regarding a specific employee, a volunteer, or work partner of the Association.
 - 6.4.5 How to seek advice and support from the Association.
 - 6.4.6 Remind Specific professionals to report suspected cases of child abuse in accordance with Section 4(1) of the Mandatory Reporting of Child Abuse Ordinance. Reporting in accordance with the Ordinance is a personal legal responsibility, and failure to comply with the requirements may result in penalties including a fine HKD 50,000 or both a fine at HKD 50,000 and imprisonment for 3 months.
- 6.5 The Association will ensure that clear processes for reporting and dealing with safeguarding problems are widely communicated, regularly reviewed, and consistently applied. In case of allegations made regarding an employee it will be handled in accordance with the Association's code of conduct policy. (For more detailed guidance, refer to the Association's code of conduct policy.)

Data Privacy

- 6.6 The Association will ensure that personal information is kept confidential unless we have an agreement between the individual and/or their parent/guardian, and where it is necessary, pass the information to a specialized child welfare or law enforcement agency to prevent relevant incidents from happening. For further information, please see the Association's Personal Data Privacy Policy.

Media

- 6.7 The use of actual names and images, including photographs and recordings. This should be applied in all situations. Specifically relating to protection of children, young people and vulnerable adults, the Association will:
 - 6.7.1 Use names and images of children, young people or vulnerable adults which are respectful and not expose them to further vulnerability (not

degrading or showing sexual images of children naked or partially clothed).

- 6.7.2 Use images and display names of children only where we have the written permission of their parents/guardians. It is also possible for a child/parent to withdraw their consent at any time.
- 6.7.3 Use images and display names of young people and vulnerable adults in the most appropriate way only where we have their written permission or that of their parents/guardians.
- 6.7.4 Make clear to vulnerable people and their families that agreement to providing information or images is not a condition of involvement in the Association's activities and programs and that they can withdraw their consent at any time.
- 6.7.5 Inform employees, volunteers and partners about the Association's policy in relation to the use of technology (email and IT), and understand that they must not use this technology for the purpose of accessing, producing or distributing any information, violent or sexual images that are harmful to vulnerable people. This includes child and adult pornography.
- 6.7.6 In line with the Association's external communications policy, any employee or volunteer using images and names they have taken for the Association (e.g. to produce a report or poster) must share a copy of the consent form with the Public Relations Team and provide a copy of the photograph to be stored in the Association's photo library in line with the Association's Personal Data Privacy Policy.

7 RAISING AND RESPONDING TO CONCERNS

- 7.1 The Association places a mandatory obligation on all its employees, volunteers, contractors, and partners to report concerns, suspicions, allegations, and incidents which indicate actual or potential abuse or exploitation of vulnerable people, or which suggest this policy may have in any other way been breached. It is not the responsibility of the employees to decide whether or not abuse has taken place, however, concerns should be raised with an individual's immediate supervisor, department head or a designated protection officer who will initiate the procedure for dealing with suspected or actual incidents of abuse. (For details, please refer to the Flow of Child Protection Reporting I & II.)
- 7.2 Designated protection officers are responsible for ensuring that the reporting procedure is followed so that suspected or actual cases of abuse are responded to appropriately and effectively and referred to the relevant statutory authority.
- 7.3 The Association will ensure that all such situations are managed appropriately and effectively:
 - 7.3.1 Reports must be made, and decisions and actions taken (for details, refer to the Flow of Child Protection Reporting I & II).
 - 7.3.2 The Association is not an investigative authority. It is essential that the Association makes referrals to the relevant law enforcement agency to

ensure that appropriate protection and support is given to the vulnerable person, and that any evidence is collected in accordance with the law.

- 7.3.3 All sensitive and personal data must be kept confidential (including the names of anyone who makes a report of abuse) and be shared on a strictly 'need to know' basis, that is, access must be necessary for the conduct of one's official duties. How data is managed is set out in the Association's privacy policy.
- 7.3.4 Where an employee is the subject of the investigation, the case will be managed as set out in the disciplinary policy.
- 7.3.5 The Association will not allow anyone to intentionally prevent or obstruct anyone from making a report.

7.4 Where an individual is concerned that a protection problem has not been managed appropriately, they should follow the Association's whistleblowing policy.

APPENDIX 1 – THE HONG KONG GIRL GUIDES ASSOCIATION CHILD PROTECTION CODE OF CONDUCT

All employees, volunteers, contractors and other representatives of the Association have an individual duty and responsibility to comply with the policy and to abide by the code of conduct.

1. Representatives of the Association must never:
 - 1.1 Physically assault or abuse vulnerable people.
 - 1.2 Develop physical or sexual relationships with vulnerable people.
 - 1.3 Develop relationships with vulnerable people that could in any way be deemed exploitative or abusive.
 - 1.4 Act in ways that may be abusive or may place a vulnerable person at risk of abuse.
 - 1.5 Use language, make suggestions or offer advice which is inappropriate, offensive or abusive to vulnerable people.
 - 1.6 Behave physically in a manner which is inappropriate or sexually provocative to vulnerable people.
 - 1.7 Have a vulnerable person/people with whom they are working, regardless of gender, to stay alone overnight at their home unsupervised.
 - 1.8 Have a vulnerable person/people with whom they are working to sleep alone in the same room or bed.
 - 1.9 Do things for vulnerable people of a personal nature that they can do for themselves.
 - 1.10 Condone or participate in behaviours with vulnerable people that are illegal, unsafe or abusive.
 - 1.11 Shame, humiliate, belittle or degrade vulnerable people in any form of emotional abuse.
 - 1.12 Discriminate against, target, exclude or favour particular vulnerable people and show different treatment.

This is not an exhaustive or exclusive list. The principle is that representatives of the Association should avoid behaviour which may constitute poor practice or potentially abusive behaviour.

2. When representatives of the Association are in contact with vulnerable people:
 - 2.1 Be aware of situations which may present risks and manage these.
 - 2.2 Plan and organise the work and the workplace so as to minimise the risk of vulnerable people being harmed.
 - 2.3 Be visible in working with vulnerable people.
 - 2.4 Ensure that a culture of openness exists to enable any problems or concerns to be raised and discussed.
 - 2.5 Ensure that a sense of accountability exists between representatives of the Association so that poor practice or potentially abusive behaviour does not go unchallenged.
 - 2.6 Talk to children about their contact with representatives of the Association and encourage them to raise their concerns.

- 2.7 Empower vulnerable people - discuss with them their rights, what is acceptable and unacceptable, and what they can do if there is a problem.
- 2.8 Report to a designated protection officer any concerns, suspicions, allegations and incidents which indicate actual or potential abuse or exploitation of vulnerable people or which suggests this policy may have in any other way been breached.