


Policy Name Safeguarding and Child Protection Policy (SCPP)	Version 1.0	
Creation Date Mar 24, 2023	Last modified Jun 13, 2023	

SAFEGUARDING AND CHILD PROTECTION POLICY

1. PURPOSE AND SCOPE OF POLICY

1.1. PURPOSE

In coherence with our mission, the Latin American Leadership Academy's (hereafter referred to as "LALA" in this document) Safeguarding and Child Protection Policy (SCPP, also referred to as "this Policy" throughout this document) defends and promotes children's rights within the LALA community.

This Policy provides a framework for ensuring that LALA programs and activities are designed and implemented with the child's best interests in mind. In particular, it aims to protect children and young people from violence, abuse, exploitation, and neglect in all LALA programs and activities. All organization members are always expected to show the best behavior toward children. The goal of this Policy is to clarify how people should relate to children when working for, on behalf of, or in collaboration with LALA.

This policy identifies the minimum standards of conduct for safeguarding and child protection. It follows the Child Protection laws in force in each country where LALA has activities, in particular, Colombia (Código de Infancia y Adolescencia, Law 1098/2006), Brazil (Estatuto da Criança e do Adolescente, Lei no 8.069, de 13 de julho de 1990), and the United States of America (Statute § 827.03 (2014) of Florida State).


Where the guidance in this policy conflicts with any applicable laws or regulations, the higher standard must be observed at all times.

Any violation of this policy will be treated as a disciplinary matter, resulting in immediate termination of employment or contract and/or withdrawal of LALA community member status, regardless of assigned position or role, and reporting to the relevant regulatory authority or any other agency, as appropriate.

This Policy covers all forms of child abuse. LALA recognizes five categories of child abuse, which are: sexual abuse, physical abuse, emotional abuse, neglect, and exploitation (all of which are defined in Section 2 on Definitions below).

1.2. SCOPE OF THIS POLICY

This Policy applies to the entire LALA community, which can be recognized as employees, employers, contractors, subcontractors, staff members, students, alums, partners, donors, founders, volunteers, board members, vendors, and anyone with a direct relationship with the Latin American Leadership Foundation in the USA (LALF), the Latin American Leadership Academy in Colombia (LALA), Associação Academia Latinoamericana de Liderança in Brazil, Casa de Líderes in the USA and Colombia, or other affiliates of LALA (collectively "LALA" in this Policy). It applies during and outside of working hours, every day of the year. All children have an equal right to protection regardless of any personal

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characteristic, including their age, gender, ability, culture, racial origin, religious belief and sexual identity.

Additionally, LALA and LALF operate with zero tolerance for any form of harassment in the workplace, treat all incidents seriously, and promptly investigate all allegations of harassment. See our [Anti-Discrimination, Harassment, and Retaliation Policy](#) for more details.

2. DEFINITIONS

For the following policy, the following definitions shall be considered:

Abuse: A violation of an individual's human and civil rights by any other person or persons. It can be physical, psychological, financial, or sexual abuse, neglect, negligent treatment, 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 and unintentional or deliberate. Abuse often involves criminal acts.

Adult: Refers to a human aged 18 years or older, regardless of the applicable legal definition of the term in the relevant country.

Child: According to the United Nations Convention on the Rights of the Child (UNCRC)¹, a child is any person under the age of 18 years (unless under the law applicable to the child, the majority is attained earlier).


Child Abuse: Consists of anything, which individuals, institutions, or processes do or fail to do which directly or indirectly harms children or damages their prospect of a safe and healthy development into adulthood.

Child Exploitation: Refers to when an individual in a position of power and/or trust takes or attempts to take advantage of a child for their own personal benefit, advantage, gratification, or profit. This personal benefit may take different forms: physical, sexual, financial, material, social, military, or political. Exploitation may involve remuneration in cash or kind (such as social status, political power, documentation, freedom of movement, or access to opportunities, goods, or services) to the child or a third person/s.

Child Protection: This is a central part but not separate from safeguarding. It is the process of protecting individual children identified as either suffering or at risk of significant harm due to abuse or a program of work. It also includes measures and structures designed to prevent and respond to abuse.

Discriminatory Abuse: Abuse motivated by a vulnerable person's age, race, nationality, sex, sexual orientation, disability, or other personal characteristics.

¹ The United Nations Convention on the Rights of the Child (UNCRC) is a legally-binding international agreement setting out the civil, political, economic, social and cultural rights of every child, regardless of their race, religion or abilities

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Emotional Abuse: This behavior pattern impairs a child's emotional development or sense of self-worth. This may include constant criticism, threats, rejection, and withholding of love, support, or guidance.

Neglect: The persistent failure to meet a vulnerable person's basic physical and/or psychological needs, likely to seriously impair 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 inadequate caregivers); or failure to ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a vulnerable person's basic emotional needs.


Lack of protection: Constitutes the constant lack of adequate care and protection for the child, as well as the lack of provision of essential aspects for the child's provision of aspects important to the child's growth, development, and well-being, such as, but not limited to, medical care, nutrition, affection, safety, education or stimulation, limited to, medical care, nutrition, affection, security, education or mental stimulation, resulting in negative consequences for the child mental stimulation, resulting in negative consequences for the child such as health problems, lack of child's development, etc.

Physical Abuse: When a person deliberately commits an act that results in a physical injury to the child. These injuries can have serious, long-lasting effects and can sometimes cause death. It may involve hitting, shaking, throwing, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child.

Safeguarding: This is the responsibility that an organization has to ensure that their employees, employers, contractors, subcontractors, staff members, students, alums, partners, donors, founders, volunteers, board members, vendors, and anyone with a direct relationship with the Latin American Leadership Foundation in the USA (LALF), the Latin American Leadership Academy in Colombia (LALA), Associacao Academia Latinoamericana de Lideranca in Brazil, Casa de Líderes in the USA and Colombia or other affiliates of LALA (collectively "LALA") do not harm children; that they do not expose them to the risk of discrimination, neglect, harm, and abuse; and that any concerns the organization has about the safety of vulnerable people within the communities in which they work are dealt with and reported to the appropriate authorities. The organization is also responsible for protecting its employees, volunteers, and contractors when they are vulnerable, for example, ill or at risk of harm or abuse.

Sexual Abuse: Involves forcing or enticing a child to participate in sexual activities, whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative (e.g., rape) or non-penetrative acts. They may include non-contact activities, such as involving children in looking at or producing pornographic materials, watching sexual activities, or encouraging children to behave in sexually inappropriate ways.

Violence: Encompasses all acts that involve the intentional use of power or verbal or physical force, threatened or actual, against a child or against a group of children that either results in or has a high likelihood of resulting in actual or potential harm to the child or children's health, survival, development, or dignity. Possible harm includes injury; death; disability; decreased psychological, psychosocial, or mental health; or maldevelopment.

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3. POLICY PRINCIPLES

3.1. At LALA, we have a culture of **zero tolerance** for all forms of abuse and mistreatment, including sexual exploitation and abuse, harassment, intimidation, and bullying. This means that every single concern is fully responded to and where necessary prompt action (including conducting an investigation and taking disciplinary action, if applicable) is taken. It means that we will hold our people to account against the same standards and subject them to the same processes, as everyone else regardless of their position or reputation within the organization.

3.2. LALA promotes a culture of protection and good treatment of children professionally and personally. Central to our commitment is first to do no harm to children who participate in our programs. We uphold the best interests of the child as a primary consideration in all actions and decisions.

3.3 LALA ensures that all persons who work with or have any relationship with the Latin American Leadership Foundation in the USA (LALF), the Latin American Leadership Academy in Colombia (LALA), Associacao Academia Latinoamericana de Lideranca in Brazil, Casa de Líderes in the USA and Colombia, understand, accept, and support the compliance and fulfillment of their responsibilities to treat children well as according to the safeguarding standards in this Policy.

3.4 LALA ensures that safeguarding requirements are integrated throughout the recruitment and employment cycle by ensuring stringent checks are in place at the start of employment and by regular training and performance management reinforced by robust codes of conduct and standards.


3.5 LALA ensures that students participating in LALA programs give informed consent of participation, along with the parent/caregiver for students who are under age 18. We commit to providing information about all aspects of the program and student participation to parents and caregivers, including safeguarding procedures.

4. MINIMUM STANDARDS

4.1. COMMITMENTS

The LALA community must adhere to the following commitments:

1. Promote respect for the dignity of all children, the realization and protection of all their rights, and the pursuit of their best interests.
2. Generate and promote safe environments for children's development and well-being.
3. Allow and encourage the child's access to information, as guaranteed by international treaties, and contribute to initiating their rights and duties.
4. Be attentive to the children's needs and requests, maintaining a respectful and welcoming attitude.

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5. Work with parents, caregivers, legal representatives, and professionals to protect children.
6. Maintain zero tolerance for child abuse and exploitation and take all measures available to you to prevent and respond to actual, attempted or threatened forms of child abuse and exploitation involving LALA staff, representatives, or community members.

4.2. PROHIBITIONS


The LALA community may not engage in any conduct that harms children. To help you identify incidents of child abuse, exploitation, and poor safeguarding practice the following are examples of prohibited behavior and practice, which are not tolerated by LALA:

1. Developing relationships with children which could be deemed violent, abusive, or exploitative.
2. Physically, sexually, or emotionally harming or threatening to harm a child. This includes beating them or any other form of physical or humiliating discipline.
3. Engaging in any form of sexual activity with anyone under the age of 18, regardless of age of consent or custom locally.
4. Hiring children for dangerous, exploitative labor or any job that does not meet local and international child labor laws.
5. Using language or behavior towards children, in-person or online, that is reasonably perceived as inappropriate, harassing, abusive, exploitative, sexually provocative, demeaning, discriminatory, or culturally inappropriate.
6. Acting in ways intended or reasonably likely to shame, humiliate, belittle, degrade children, or otherwise perpetrate psychological abuse.
7. Discriminating against children based on gender, sex, disability, sexual identity, religion, or caste.
8. Failing to take reasonable actions to provide referrals for appropriate services to a child who reports or has someone else report or has signs of experiencing violence, abuse, exploitation, or neglect.
9. Undertaking activities or programs with children without the express permission of their parents/guardians or relevant authorities for street/separated/unaccompanied or other children who are alone.
10. Giving alcohol or drugs to a child.

5. MANAGEMENT GUIDELINES

5.1 GENERAL RULES OF THE PROCESS FOR REPORTING

1. **The LALA Community must immediately report all reasonable suspicions that any person involved directly with LALA has engaged in conduct prohibited by this Policy. Community members are expected to keep the report they file confidential between themselves and the person they file the report to. See Section 5.3 on Reporting Flow for places where you can submit reports.**
2. Reports must be as thorough and specific as possible. Reports must be made in good faith. Making a false or malicious allegation is not permitted or protected.

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3. Actions taken in any case of confirmed or suspected abuse must be carried out with respect for the dignity of each person involved.
4. Discretion will be ensured to the fullest extent possible in the complaint and subsequent proceedings. However, the child's safety will always take priority.
5. The persons involved in the management of the process will engage transparently in the officially planned procedures. They will facilitate that the procedures initiated are accessible and understandable to the victims.
6. Any act considered a crime against a minor shall be immediately reported to the competent local authority.
7. The entire LALA Community is required to cooperate fully with investigations by LALA.
8. LALA investigative reports and any summary of such reports are confidential and will not be disclosed to anyone outside of parties involved, except to law enforcement, in the case of any referral to law enforcement. Any disclosure of information will be subject to LALA's Data Policy. The parties involved in the process can consult the investigation file to know the charges and better exercise their right of defense.

5.2 COMMITTEE FOR CHILD PROTECTION

5.2.1 CONSTITUTION


The Committee for Child Protection is a monitoring body that ensures the respect of children's rights within LALA's activities. This Committee comprises three members: the current Chief Executive Operations (CEO), the current Chief Operation Officer (COO), and the current Executive Director.

5.2.2 PURPOSES

The Committee for Child Protection will have the following purposes:

1. To be the competent body for investigating cases that arise in the organization that goes against the present policy. This body will decide on provisional measures to protect the victim, refer cases to the competent local authority when required, and make the final decision in each case regarding LALA's actions.
2. The Committee ensures that all incidents, allegations, and complaints are recorded in the organization's archives according to the Data Protection Policy, and are adequately followed up.
3. Evaluating and monitoring the situation received in an objective and timely manner. It will have to prepare an opinion on each case reported, which will be filed in a confidential file.

In the event of a conflict of interest or a case involving one of the committee members, the person involved shall be removed from the committee and replaced by another person at a managerial or higher level within the organization who can guarantee impartiality in the process.

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5.3 REPORTING FLOW

1. Any member of the LALA community who becomes aware of a verified or suspected case of violation of children's rights should **immediately** report the situation to the Committee for Child Protection. This can be made in any of the following ways:
 - a. Directly to the C-level@somoslala.org email, which includes the Chief Executive Officer (CEO), Chief Operating Officer (COO), and the Executive Director (ED), who are, in turn, the members of the Committee for Child Protection;
 - b. Directly to the legal@somoslala.org email, which includes the Director of Operations and the Legal Associate;
 - c. To both group e-mails or just one, depending on the possible involvement of one of the members;
 - d. Through a form available directly on the organization's [website](#), which will be redirected to the Legal team at LALA, defined above on item b above.

In any case, it is advisable that the email's subject contains any of the words: *legal, report, child protection policy, safeguarding, violation of rights, urgent*, or others that can speak to the seriousness and urgency of the matter.
2. Once the report email is received and read by one or more members of the Committee or the Operations and Legal departments, a confirmation reply will be sent within one business day.
3. Upon receipt of a report of possible conduct contrary to this policy, the LALA Committee for Child Protection shall ensure that interim protective measures are taken promptly, considering the child's best interests and providing adequate assistance to affected stakeholders. These measures will be enacted within the scope of the organization's jurisdiction and will not preempt any mandates issued by a court of law. Consent from the legal guardian is essential, and in the event that the potential aggressor holds the position of the legal representative, the minor will be accompanied by the nearest available relative.
4. If the reported conduct prohibited under this Policy is identified as potentially constituting a criminal act, as determined by the Committee for Child Protection, LALA will refer the matter to the corresponding law enforcement authorities.
5. The Committee for Child Protection will study the case and decide on possible conduct contrary to this policy, considering the rules of due process and the rights of those involved. Said response may include referring the matter to the corresponding police authorities, imposing sanctions, deciding the termination of contracts, suspensions, and any other measure considered pertinent to restore rights to the victims and safeguard the organization.

At all times, LALA guarantees the presumption of innocence and the right to defense of both the defendant and the victim.

The sanctions imposed by LALA will not replace the requirement to the administrative and/or judicial authorities nor the measures and sentences likely to be pronounced by them.

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6. MONITORING

This policy will be updated based on ongoing monitoring exercises. Implementing this Policy will be subject to any relevant decisions of the LALA Board and/or Executive Team.

Version	Date	Modification	Editors	Reviewer	Approved by
1.0	March 24, 2023	June 9, 2023	Erika Garcia	Valeria Reyes Alia Whitne... Ticiane Mid... Diego Onta... David Bapti... External Consultants with Safeguarding Expertise: Paul Stephenson Consulting LLC and Kristine Mikhailidi	Alia Whitne...

RELATED DOCUMENTS:

[Code of Conduct for Camp Staff](#)