



**ZAMBIA NATIONAL EDUCATION COALITION (ZANEC)**

# **LEARNER PROTECTION POLICY**

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## **RATIONALE**

As an organisation focusing on quality education service delivery, ZANEC's primary beneficiaries are the learners, a significant majority of whom are children. The Coalition believes that a major prerequisite for one to learn effectively is for them to be safe at home, in the learning environment and in society as a whole. ZANEC is convinced that the well-being of the learners it comes in contact with during the course of its work depends on it acting responsibly. This requires that the Coalition works to ensure a safe environment is created for the learner regardless of social, economic, physical status; acts immediately on any suspicions, concerns and complaints as well as provide appropriate support to the violated learner.

The ZANEC Learner Protection Policy is intended to ensure that all learners are protected in every aspect, whether during programme implementation, in the course of advocacy and indeed by ensuring that its staff and Member Organisations adhere to the barest minimum standards that safeguard the welfare of the learner. It is ZANEC's Policy that its Member Organisations, Board of Governors and Secretariat Staff ensure that all learners that they come in contact with and who are the beneficiaries of their work are safeguarded at all times.

As a Coalition, ZANEC has put in place this Policy covering all aspects and locations of its operations. The Policy has benefited from Child Protection and Safeguarding Policies from Campaign for Female Education (CamFEd), Plan International, Save the Children and the Zambia Accountable Programme. In formulating this Learner Protection Policy, ZANEC has also taken into consideration the provisions of the Education Act, Gender Policy, Anti-Gender Violence Act, the Disability Act, African Union Charter on the Rights and Welfare of the Child; the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the United Nations Convention on the rights of the Child (CRC).

## **ABOUT ZANEC**

The Zambia National Education Coalition (ZANEC) is a network of Civil Society Organizations registered under the Registrar of Societies Act on 3rd July, 2002 on certificate number ORS/102/35/2581. The organization's Member Organizations comprise of Community Based Organizations, Faith Based Organizations, Non-Governmental Organizations and Teacher Trade Unions. The organization's mandate is to coordinate civil society advocacy for quality, equitable and inclusive education for all Zambians.

### **Vision:**

*"A sustainable and inclusive education system that responds to national aspirations and fosters an environment for self-fulfillment"*

### **Mission:**

*ZANEC is a Coalition of education related actors/organization promoting quality and inclusive education for all, through influencing of policy, building consensus, holding duty bearers accountable, and strengthening the capacities of stakeholders in the education sector.*

## Organizational Values

- i. **Universal Right to Quality Education:** Education is a right to every child, youth and adult regardless of gender, geographic divide, social and economic status.
- ii. **Equity and Inclusiveness:** Education should be equitably accessible and relevant to all. “*No one should be left behind*” disabled, girls, women, poor and rural communities.
- iii. **Non-partisanship:** Non-alignment to any political party and voice without “fear or favor”.
- iv. **Transparency and Accountability:** Promoting and acting with the utmost integrity and responsible to the vision and mission of the organization.
- v. **Volunteerism:** Selflessness and passion for reason for existence.
- vi. **Value for Money:** Cost effectiveness with high sense of result orientation

## DEFINITIONS

**Learner Protection:** Keeping learners safe from any harmful environment, any form of abuse whether at home, at school and anywhere else. This includes corporal punishment, bullying, sexual abuse.

**Learner Protection Policy:** A set of guidelines and procedures that ZANEC staff and Member Organisations are required to apply and monitor in order to ensure that learners are respected and protected from abuse, sexual exploitation and any form of danger.

**Child abuse:** Child abuse is when anyone under 18 years of age is being harmed or isn't being looked after properly. The abuse can be emotional, physical, sexual, or neglect. It is also any attempted and actual abuse of a position of vulnerability, including profiting monetarily, socially or politically from the exploitation of another.

**Learner:** this refers to a child, youth or adult receiving formal or informal education.

**Vulnerable Learner:** a child, youth or adult receiving education and is in a state of not being able to protect themselves whether economically or physically due to extreme poverty, mental or physical disadvantage.

### Signs of Abuse:

#### *Emotional:*

- Sudden under achievement or lack of concentration;
- Changes in mood or behaviour where a child/learner withdraws or becomes insecure;
- Running away, stealing, lying

#### *Physical:*

- Injuries inconsistent with explanation given;
- Injuries to the body in places not normally exposed to falls;

#### *Sexual:*

- Infections and symptoms of Sexually Transmitted Diseases;

- Excessive preoccupation with sexual matters;
- Detailed knowledge of adult sexual behaviour;
- Engaging in age inappropriate sexual play

## **IMPLEMENTATION**

- 1.1 ZANEC shall comply with all applicable legislation relating to learner protection and the promotion of the welfare of children in force in Zambia and at international level.
- 1.2 In relation to all activities in connection with ZANEC, all legislation and statutory guidance relevant at any time to the protection of learners and with the detail and principles of the Education Act, the UN Convention on the Rights of the Child (CRC), United Nations Charter on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the African Union Charter on the Rights and Welfare of the Child (AU-CRWC) as may be amended from time to time.
- 1.3 ZANEC shall not employ or use the services of any person whose previous conduct or records indicate that he or she would not be suitable or who may otherwise present a risk to learners.
- 1.4 ZANEC shall ensure that any organisation or individual engaged to carry out work on its behalf shall not have any known track record of child/learner abuse or exploitation of any form.
- 1.5 Employees will be made aware of the binding nature of this Policy and that it applies equally to both their professional and personal life. Recruitments of staff must reflect ZANEC's commitment to protecting learners in general and children in particular by ensuring that warning, checks and procedures are in place to screen anyone who may be unsuitable to work with children and other vulnerable learners.
- 1.6 ZANEC shall immediately inform relevant authorities about any person employed or engaged by it if it disengages such person to carry out the activity who it reasonably suspects has harmed or poses a risk of harm to children and/or vulnerable learners.
- 1.7 ZANEC shall ensure that it does not, whether as an employer, advocate or provider of services and/or goods, discriminate learners within the meaning of equity and inclusion. It shall ensure that gender, disability and vulnerability are taken into consideration in its line of work.
- 1.8 ZANEC shall report any instances of learner abuse to the nearest authorities, irrespective of whether the case involves a prominent person or one known to them. The protection of the learner shall always be paramount.
- 1.9 ZANEC shall take any suspicions, concerns or complaints of learner protection seriously. If a learner is in need of urgent medical attention; it must be taken to the nearest health centre before any appropriate reporting procedures are commenced.
- 1.10 When around children and vulnerable learners, employees or Member Organisations of ZANEC shall:
  - Refrain from sexual relationships;
  - Never encourage the learner to develop a sexual relationship with another person;
  - Not spend excessive time alone with a learner away from others;
  - Not condone or participate in behaviour which is illegal, unsafe or abusive.

## PLEDGE TO LEARNER PROTECTION PRINCIPLES

**Prevention:** ZANEC will ensure that staff and Member Organisations create an environment where learners' rights are respected and all forms of abuse such as hard labour and sexual exploitation are prevented.

**Reporting:** ZANEC will ensure that staff and Member Organisations and others are clear about steps to take where concerns regarding learner protection arise.

**Action:** ZANEC will ensure that action is taken to support and protect learners where concerns arise regarding possible abuse.

**Awareness:** ZANEC will ensure that all staff and Member Organisations are aware of the problem of all forms of learner abuse and the risk to children. Learners, the learning environment and their families will be made aware of the standards of behaviour they can expect from Coalition representatives and how they can raise their concerns

## GUIDELINES

### Awareness and Prevention:

- i. The Learner Protection Policy must be made available by ZANEC Secretariat. It must be publicised to all of its staff, Member Organisations, representatives and other key stakeholders such as the learners and their guardians, schools, Cooperating Partners and advocacy target groups.
- ii. Distribution of the Policy must be done by all Member Organisations to ensure that it is understood. This must include the use of translation into local languages and child friendly material.
- iii. The Learner Protection Policy shall be availed to all Civil Society Organisations wishing to join the Coalition and their acceptance of the terms in the Policy shall be part of the conditions of their joining the Coalition.
- iv. Priority must be given to ensure that the Policy is understood by all children that ZANEC comes into contact with during the course of their work.

### Building Learner Protection into Management Systems and Processes

The Learner Protection Policy must be incorporated into all the existing and new systems and processes that have a bearing on the protection of learners so that an environment is established where the rights of learners are respected and where abuse and sexual exploitation are not tolerated. The Learner Protection Policy shall be reflected in the ZANEC Human Resources Manual and Membership Code of Conduct which defines how staff and other Coalition representatives carry out their work. *Failure to adhere to the contents of the Learner Protection Policy shall be recognised as a serious breach warranting disciplinary action.*

Where work is done directly with the learners, ZANEC shall ensure at all times to take care of them and safeguard their interests to the best of their ability. The quality of the activities shall reflect the principles and standards of this Policy.

Learners and guardians must be empowered with knowledge of the systems that exist to raise concern or to lodge in a complaint.

The cost of implementing the Learner Protection Policy should be reflected by ZANEC in the course of drawing up its operational plans, budgets and funding proposals.

## **LEARNING AND DEVELOPMENT**

Staff, Member Organisations and representatives of ZANEC will be supported to develop learner safeguarding skills, knowledge and experiences appropriate to their role. Staff who will be given the responsibility to respond to learners disclosing sexual exploitation and abuse must receive specific training in receiving and responding to disclosure.

A basic understanding of the Learner Protection Policy will be included in the induction and core training for staff and other representatives. The learning should include an understanding of local culture and environment which should be incorporated without condoning acts that are harmful to children.

## **RISK ASSESSMENT AND MANAGEMENT**

All activities within ZANEC involving learner participation shall be assessed to make sure that any risks are identified and adequate controls are put in place. These aspects shall be included in the monitoring and evaluation frameworks for such activities.

Activities involving contact with learners through use of Information Communication Technology (ICT) must be assessed to make sure that any learner protection risks are identified and adequate controls developed. ICT such as the internet, websites, social networking sites, digital photography must ensure that learners are not put at risk. These aspects shall also be included in the Monitoring and Evaluation of such works.

Involvement with learners and their guardians for the purpose of publicity, communications and advocacy shall be done with *informed consent* and shall not exploit the learner or guardian, nor increase their vulnerability, or place them at risk. Adequate controls shall be developed for such activities.

## **REPORTING PROCEDURES**

- i. ZANEC shall put in place a system for concerns identification, response, recording and central analysing. These central records shall be reported to Senior Management and the Board of Governors on a regular basis.
- ii. Reporting procedures must identify what, how and when concerns are reported. The procedures must include agreed management guidance on when and how to report concerns to national authorities as well as the available learner protection infrastructure and safeguarding resources.

- iii. Concerns must be reported within 24 hours unless it is impossible or impracticable to do so, or other exceptional circumstances exist.
- iv. The reporting procedures must be easily accessible, known to and understood by all.

## **ROLES AND RESPONSIBILITIES**

*Learner Protection Focal Points:* designated members of staff or Member Organisations must be identified. These must receive Learner Protection related concerns and complaints. The Focal Points must be appointed at all operational levels, i.e. national, provincial, etc.

Staff or Member Organisations nominated to key positions must have *their roles and responsibilities for learner protection clearly identified*. This includes the responsibility for staff to raise learner protection concerns; and managers for responding to and managing the concerns raised.

All Staff, Member Organisations and representatives must be made aware of the contact details of the Focal Points for receiving learner protection concerns.

All staff, Member Organisations, representatives of ZANEC have a duty to report concerns, including both specific reports and unconfirmed concerns regarding learner abuse or sexual exploitation.

## **WHISTLE BLOWING**

A Whistle Blowing Policy for ZANEC is in place, within the Human Resources Manual, with procedures for staff to report any genuinely held belief that the Learner Protection Policy has been compromised or breached.

A standard format for reporting concerns and recording key data shall be introduced and guidance, advice, training and support on the reporting and responding processes must be made available to all relevant staff, representatives and Member Organisations.

## **RESPONDING TO ALLEGATIONS OF ABUSE OR SEXUAL EXPLOITATION**

- i. Delegated staff, Member Organisations or representatives must be guided by best practice in their field of operation in responding to allegations of learner abuse or sexual exploitation. They must operate to a clear set of principles that focus on the best interests of the victim and any witness, protect their safety, physical and psychological health and welfare and respect their right to confidentiality, equality and access to justice.
- ii. Staff and Member Organisations must act appropriately and effectively in the process of instigating any investigation or cooperating with any subsequent process of investigation and will be guided by the principle of acting in the best interests of the learner in any such process.
- iii. Staff will be required to cooperate in any investigation and to maintain the appropriate levels of confidentiality.
- iv. Staff, Management and Member Organisations must be aware of their roles and responsibilities in responding to, investigating and referring allegations of abuse and sexual exploitation to national authorities.

## **Systems to Respond to, Manage and Learn from Incidents**

- i. Management Systems must be capable of managing an incident and capturing lessons as a result of the occurrence, reporting, investigation or other management of any incident under the Learner Protection Policy so that lessons are learnt and practice improved.
- ii. Lessons learnt in the implementation of the Policy as well as from individual incidences under ZANEC Learner Protection Policy should be used to influence policy and develop best practices across the ZANEC Coalition and elsewhere.

### **REVIEW:**

- vii. The ZANEC Learner Protection Policy shall be reviewed every two years;
  - viii. Learners and their carers shall be consulted during the review process;
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