CHILD PROTECTION POLICY

Introduction

Article 19 of the UN Convention on the Rights of the Child asserts a child'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.'

Child abuse and exploitation occur throughout the world and in all societies, and involve the physical, Phycological, sexual, emotional abuse and/or neglect of children and adolescents. The Academy endorses the principles and articles of the United Nations Convention on the Rights of the Child and is committed to supporting and respecting children's rights and protecting children from harm. The Academy takes its responsibility to protect children from all forms of violence very seriously and will not tolerate any form of abuse or exploitation of children in the programs of the Academy**. Our responsibility to protect Children from abuse places clear expectations on every member of the Academy community, and obliges us to act in the best interests of Children at all times, including preventing abuse, reporting suspected abuse, and creating a child friendly environment.**

All Academy personnel have the power to keep Children safe and promote the kind of safe environment that all Children deserve. The nature of abuse is that it often requires secrecy, isolation, and limiting access to support resources. By proactively establishing clear standards; communicating available resources; fostering high expectations for personnel; setting appropriate boundaries; and respectfully observing and listening to the Children in our care, we seek to create an environment in which children can thrive.

Definitions

This child protection policy and any associated guidelines reflect the definitions below:

A Child (or Children) is defined under this policy as any person, of either sex, who is enrolled in an Academy programme including the Swords Basketball Programme, Job Shadowing Scholars Program. A child is also defined as anyone on TBA premises who is or appears to be under the age of 18 years.

Best Interests of the Child: The *principle of best interests applies* to all actions concerning Children and requires active measures to protect their rights. These measures should promote Children's survival, growth, and well-being, and support and assist parents and other caregivers to realize Children's rights. This includes Child participation to ensure that the opinions of Children are heard in matters affecting them.

Child Protection: The responsibility, actions and measures taken to prevent and respond to abuse, exploitation, and violence against Children.

Child Abuse: Includes physical abuse, sexual abuse, neglect/failure to provide, emotional maltreatment, peer to peer abuse, and exploitation of Children;

> **Physical abuse** is the deliberate application of force to any part of a Child's body, which results or may result in a non-accidental harm or injury to the Child. Physical abuse may include shaking, choking, biting, kicking, burning, poisoning, holding a Child under water, or any other harmful or dangerous use of force or restraint.

Sexual abuse occurs when an adult or youth uses a Child for sexual purposes. 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 to engage in any of the following activities if they occur between an Organization's personnel and a Child:

• using or engaging in sexually provocative language, acts or conduct towards a Child;

• rough-housing or engaging in conduct which involves physical contact with a Child and which is sexually suggestive in nature;

• kissing, fondling, caressing, patting or pinching a Child or engaging in sexual intercourse or other sexual conduct designed to sexually stimulate either the Organization's personnel or the Child or both;

• using sexual remarks, jokes, innuendo or taunting about a Child'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;

• conduct of a sexual nature for the stimulation, gratification, profit and self-interest of an Organization's personnel who is in a position of trust or authority or with whom the Child is in a relationship of dependency; and/or

• prostitution or production of material of a pornographic nature, including soliciting sexually suggestive photos or seeking compromising pictures, or sending sexually suggestive photos or compromising pictures, whether through email, instant messaging and other social media platforms or any other means.

Neglect/failure to provide is a form of abuse that occurs when legal guardians or caregivers (including personnel operating in loco parentis at TBA programs) 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 fail to protect the Child from exposure to danger.

Emotional abuse involves acts or omissions by legal guardians or caregivers (including personnel operating in loco parentis at TBA programs) that cause or could cause serious behavioural, cognitive, emotional, or mental disorders. Emotional maltreatment can include verbal threats, socially isolating a Child, intimidation, exploitation, terrorizing, or routinely making unreasonable demands on a Child.

Exploitation refers to situations whereby an abuser takes advantage of unequal power and/or economic status of a Child for personal gain. Exploitation occurs when an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a Child into unwanted activity (a) in exchange for something the Child needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. Exploitation may occur even if the activity appears consensual and may occur through the use of technology. We note that all relationships between TBA personnel and Children have an unequal power dynamic, placing a clear burden on all staff to set appropriate boundaries.

Peer to peer abuse is any form of physical, sexual, emotional and financial abuse, and coercive control exercised between Children, and within Children's relationships (both intimate and non-intimate), friendships, and wider peer associations. Peer-to-peer abuse can take various forms, including (but not limited to): serious bullying (including cyberbullying), relationship abuse, domestic violence and

abuse, child sexual exploitation, youth and serious youth violence, harmful sexual behaviour and/or prejudice-based violence including, but not limited to, gender-based violence. Incidents or suspicions of peer to peer abuse place the same obligations on TBA personnel to report, and will be managed through processes that are consistent with the guidelines provided in this policy. Differences in gender and sexuality are often prevalent in questions of peer to peer abuse.

Indicators of Child Abuse that TBA personnel can watch for to recognize Child Abuse may include but are not limited to the following:

Physical signs, such as:

- Lacerations and bruises, bites, cuts, burns
- Nightmares
- Irritation, pain, or injury in the genital area
- Difficulty with urination
- Discomfort when sitting
- Torn or bloody underclothing
- Venereal disease

Behavioural signs, such as:

- Anxiety when approaching the Organization's premises or a room used for Programs with Children
- Nervous or hostile behaviour towards adults
- Acting out of sexual behaviour
- Withdrawal from activities and friends
- Not willing to see the school nurse or go to the doctor
- Arms and legs are covered on hot days
- Strange reasons given for injuries

Verbal signs, such as the following statements:

- I don't like (insert name).
- (Insert name) does things to me when we are alone.
- (Insert name) makes me uncomfortable.
- (Insert name) is creepy.
- (Insert name) gave/offered me a gift.
- I don't like to be alone with (insert name).
- (Insert name) fooled around with me.

Guidelines for Child Protection and Safeguarding

i. Prevention

The Academy takes measures to address risk factors and prevent abuse and exploitation before it occurs. Prevention measures include organizational policies, procedures and codes of conduct for protecting children; capacity building for all those who work with children; awareness raising and good practice for minimizing the risks to children.

ii. Screening Procedures

All personnel (including employees, contractors, and unpaid volunteers) undergo screening procedures in an effort to prevent abuse and exploitation. These procedures include a 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; and references who support the applicant's suitability to work with Children. Any certificate of good conduct, police reference check or equivalent that is obtained will be updated by the Organization at least very three years.

iii. Acknowledgement

Each individual who wishes to work at Technical Basketball Academy or be a member of the extended community is required to sign an acknowledgment form confirming that he/she agrees to comply with this Child Protection Policy of Technical Basketball Academy, including the Organization's expectations to prevent abuse, report suspected abuse, and create a safe environment. Disciplinary action will be taken against anyone found guilty of violating this policy.

iv. Awareness

Technical Basketball Academy ensures that all personnel and members of the extended Technical Basketball Academy community, sub-contractors, consultants or affiliates involved with Children's programs are aware of child protection risks, policies and procedures; including national laws and international instruments, as applicable. Technical Basketball Academy also makes its Child Protection Policy and commitment publicly available on its website.

v. Gender Equality and Non-Discrimination

Technical Basketball Academy ensures that all Child protection policies and procedures take into account gender equality and non-discrimination requirements and the high expectations of our institutional values. We recognize that cisgender females, cisgender males and any student that identifies as LGBTQ+ may face different risks relating to their safety and protection. All Children have the equal right to protection, irrespective of race; colour; sex; language; gender identification; sexuality; sexual orientation; disability; religion; political or other opinions; national, social or indigenous origin; property; birth or other status.

vi. Capacity Building

The Academy develops the capacity of all who work with and for Children to appropriately prevent, detect and respond to Child abuse and exploitation as reflected in these Guidelines. Efforts are made to ensure organizational policies and practices are understood and can be effectively implemented through on-going training courses for all employees and volunteers and other personnel of the Academy. All personnel must attend an annual refresher course on the child protection policy as a condition of employment.

vii. Participation of Children

Children must be actively, meaningfully and ethically involved in all aspects of preventing, responding and monitoring incidents of abuse and exploitation. Children 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. Children will be made aware of the existence of this policy and the guidelines within this policy at least once per school year, with a training within one week of a student's arrival on premises.

viii. Reporting Mechanisms for Children and Staff

Established mechanisms enable Children to safely report any concerns relating to their well-being, safety and protection. Children should be aware of the mechanisms available to them and services should be confidential, Child friendly and accessible to Children. The Academy's personnel and students should be able to identify Child protection concerns and professionally report them, taking into account the best interests of the Child.

Where there is any reason to suspect a violation of this policy, the Academy's personnel must report the suspected abuse to the President, will trigger an investigation of the allegation. Such a report may be made via telephonic or in-person conversation or through an email to one of these individuals or to info@technicalbasketballacademy.com. The identity of the reporter will, where possible, remain confidential in the investigative process, and the trained individual receiving the report will place the report under the Responsible Officer appointed by the Board of Directors to ensure compliance with the processes defined in this policy and related documents.

The Responsible Officer will work with the appropriate governmental authorities, law enforcement agencies, and parent(s) / legal guardian(s) or caregivers of abused Children in accordance with the laws of the applicable country.

ix. Response and Follow Up

The Academy's policies and procedures include appropriate measures to support and protect Children when concerns arise. All measures taken to respond to abuse or exploitation shall respect Children's rights, local laws and take into account the best interests of the Child and endeavour to ensure no further harm comes to the Child as a result of any actions taken by the Academy. Efforts to work in conjunction with other service providers, specialists, parents, legal guardians, caregivers and others will be explored when appropriate.

After any incident or report of abuse and exploitation, proper measures will be taken to ensure organizational learning, evaluation and follow up. Any individual who confidentially reports suspected abuse should expect to receive an update regarding the outcome of any investigation from the Responsible Officer within two weeks of the initiation of the report. Out of respect for rights of all parties involved in the matter, there may be limits to what is shared back to initial reporter. This feedback loop is an important component of the Response and Follow-up Procedure, and a reporter is encouraged to contact the Responsible Officer directly if an update has not been communicated within two weeks.

The Academy will retain written records of all reports of Child Abuse, 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 his/her parent(s) / legal guardian(s), the name of the Academy personnel who made the report, the person it was reported to the name of the governmental contact to whom the report was made, if applicable, and a clear description of the facts that led to the report, as well as any other available information. The Academy should advise its insurance provider of the complaint of Child Abuse and retain records of any such reports.

All such records will be kept within the files of the Academy and its legal counsel in accordance with the Academy's privacy and confidentiality policies.

x. Implementation, Monitoring and Review

The implementation and monitoring of the Child Protection Policy for the Academy is designated to the President. These person have a duty to review the policy at regular intervals, each year. Each of these periodic reviews will include a review and approval by the appropriate subcommittee of the Academy's Board of Trustees.

xi. Sanction and Discipline of Organization Personnel

Where an allegation is made that an Academy's personnel has violated the expectations of this Child Protection Policy, the accused personnel will be immediately suspended from all duties with the Academy (with pay, if applicable) while the incident is investigated. Where a personnel is found to have committed Child Abuse, the said personnel will be immediately terminated with cause from his or her position. Where a personnel is terminated as an employee or volunteer, such personnel should not be permitted to enter onto the Academy's premises or participate in activities of the Academy following termination.

When an allegation is made that a member of the extended community (i.e. a contractor or visitor) has violated the Child Protection Policy, that individual should be removed from Premisis immediately and/or banned from entering Premisis and communicating with students to prevent further harm. Where such a person is found to have committed Child Abuse, the said personnel should be immediately terminated with cause from his or her position.

When an allegation is made that a student has committed peer-to-peer abuse, the student disciplinary process should be initiated according to the guidelines in the Students and Parents Handbook.

xii. Expectation of Non-Retaliation

All members of the Academy community, including personnel and students, are expected to report conduct or allegations they believe could represent a violation of this policy or our commitment to Child safety. Acts of retaliation by TBA personnel toward individuals, whether personnel or students, who have reported issues that they in good faith believe are of concern in the manner described in this policy are expressly forbidden and will result in disciplinary action. We recognize that any threat or act of retaliation could have the effect of limiting future reporting and undermining our commitment to Child safeguarding, and we maintain a strict commitment to non-retaliation.

xiii. Informed Consent

The Academy should provide Children and their parent(s)/legal guardian(s) 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. Children and their parent(s)/legal guardian(s) should understand how their images may be used and be supported to identify and evaluate any associated risks. Personal information and/or images of Children should only be used after informed consent has been obtained in writing from both the Child and his/her parent(s)/legal guardian(s).

xiv.Protection of Personal Information

Personal information regarding any Child or Children, whether or not such information is obtained as part of the programs involving Children, should 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 used to identify a Child.

Code of Conduct for Academy Personnel

Personnel should avoid any behaviour or conduct that compromises the safety and protection of Children within its activities, operations and programs. **These guidelines govern our interactions with children for the duration of their Academy program and for twenty four months after a student's graduation from the Diploma Program and/or completion of secondary education**.

Technical Basketball Academy Personnel MUST:

Prevent Child Abuse

- Identify potential risks to the safety of children 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
- Comply with Academy Policies, such as (but not limited to) the Chaperone policy, which are designed to prevent potential abuse and protect Children

Create a Safe Environment for Children

- Contribute to an environment where Children are respected and encouraged to discuss their concerns and rights
- Ensure that Children are aware of their rights, policies and resources which are available to them in the Academy community, such as (but not limited to) wellness services
- Work with Children to define what is acceptable or unacceptable behaviour with adults
- Watch for signs of peer to peer Abuse, such as harassment, bullying, or unhealthy relationships

Set Appropriate Boundaries with Children

Boundaries5 are a declaration of expectations and an agreed upon way of working; they are created for the safety and security of children and the adults they work with. TBA personnel should:

- Keep and model professional hours. As a general rule, engagement in evenings should reflect our setting boundaries consistent with our professional roles. While correspondence to a class, a Resfac activity on the hall, a posting on Canvas, or a structured tutoring program may be appropriate after 7pm, an extended casual conversation can blur the boundaries between staffulty and student. In the case of after-hours emergencies, students should be directed to the staff or faculty member on duty, the Administrator on Duty, or to an adult with the appropriate expertise to help with the emergency.
- Maintain appropriate staff/faculty-student relationships. TBA personnel are reminded that children are not their friends, given the power dynamic at play. Conversations should not be overly familiar, and should not blur the line between student and the staff member; for example, TBA personnel should avoid 'gossip' conversations that are demeaning to another student or TBA personnel.
- Avoid creating perceptions of favoritism, such as giving gifts or offering favors that they would not reasonably provide to others in the community.
- Use appropriate platforms for conversation. TBA personnel should only carry out electronic conversations with students on Academy email or other platforms explicitly approved for this

purpose by the organisation. If a child initiates a personal conversation via WhatsApp, Telegram, Instagram, Facebook or a similar social media platform, the staff member should end the conversation immediately and direct students to the appropriate organizational messaging platform.

Report and Respond Immediately to Any Suspected Case of Child Abuse

- Report any child abuse or protection concerns to the Chief Executive Officer, Dean of the Academy, Dean of Global Programs, or Human Resources Manager, or via email to ombud {at} africanleadershipacademy.org. This report will be treated confidentially and trigger appropriate responsive action.
- Take appropriate actions to prevent any imminent harm to the Child.
- Ensure the Child and, if appropriate, his/her parents or guardians, are well-informed and participate in the decision-making and any agreed intervention.

How to respond if a Child discloses a suspected case of abuse:

- Stay calm and neutral
- Believe the child and offer support
- Listen without asking leading questions: let them explain in their own words
- Acknowledge the Child's feelings or emotions
- Be honest and careful in making promises: describe the actions that you can and will take
- Explain that it is your duty to tell someone else in order to get the Child the help that they need
- Take action, as required in terms of this Policy, and follow up with the Child and/or the Child's parents and/or the senior member of staff, as appropriate

Technical Basketball Academy Personnel MUST NEVER:

1. Abuse or exploit a Child or behave in any way that places a Child at risk of harm.
2. Exchange money, Gifts, employment, goods or services for sex with a Child, including sexual favours or other forms of humiliating, degrading or exploitative behavior, or any other behaviour that could be deemed exploitative of a Child.
3. Accept quid-pro-quo gifts from a Child, and declare any gifts exceeding 200 Rand from a child. If an employee receives a gift that is valued above 200 Rand, that gift should be declared to their line manager.
4. Have a Child they are working with stay overnight at their home unsupervised (should a supervised overnight stay take place, personnel are expected to follow the guidelines issued by the Dean's Office).
5. Sleep in the same room or bed with a Child
6. Do things for Children of a personal nature that they can do for themselves
7. Offend, insult, humiliate or degrade children or perpetrate any form of emotional abuse
8. Discriminate or provide favourable treatment to one Child
9. Kiss or coaxing a child to kiss organizational personnel
10. Engage in extended hugging, tickling or coaxing of a Child to hug the organizational personnel
11. Touch a child in any area that would be covered by a bathing suit.
12. Have a child sit on the lap of organizational personnel.
13. Have a member of the organizational personnel sit on the lap of a child

14. Be alone with a Child in an unobservable place or room, or in a room with no windows. Personnel must endeavor to have meetings with students in a semi private place, (such as the office, meeting rooms or classrooms) or with the door open and the lights on during the meeting.
15. Engage in prolonged physical contact with a Child.
16. Discipline a Child using any form of physical contact, or emotional or psychological pressure, abuse or intimidation.
17. Retaliate against or threaten any student or member of personnel who has reported a potential violation of the Child Protection Policy.

The above is neither an exhaustive nor exclusive list and the Academy should and will consider all related actions and behaviour which may compromise the rights and protection of Children. The adjudication of all matters related to this policy will reflect the spirit of the Child Protection Policy and the impact of willful actions on Children and their sense of physical, psychological, and emotional safety.