



Child and Youth Protection Policy for Parami Energy Group of Companies and Pyinnyaw Daya Foundation



All personnel of Parami Energy Group of Companies and Pyinnyaw Daya Foundation, all partners and affiliates participating in any capacity on projects, in facilities or activities sponsored, supported or promoted by Parami or Pyin Yaw Daya Foundation are bound as duty bearers to this policy as a minimum standard for interaction with and protection of children, youth or mentally handicapped persons¹.

This child protection policy is based upon the intent to provide a safe and nurturing environment for social and emotional learning and is guided by the principles set forth in the UNICEF Convention on the Rights of the Child (refer to Appendix 4).

SECTION I: DEFINITIONS

Child: any human being regardless of gender, ethnicity, religion, social or economic status who is under the age of 16 or of diminished mental capacity.

Duty Bearer: any adult (person over 18) interacting with children. Duty bearers are bound, morally and under this policy, to comply with and enforce the Rights of the Child.

Mandated Reporter: any duty bearer in a management position who interacts with children, makes decisions that impacts them or has over-sight of other persons who do so. Mandated reporters are required to report to his/her superior administrator or the HR Director, or to the civil authorities if necessary to immediately secure the physical safety of the child, any violation of this policy that harms or threatens a child. (see Section IV.B).

Best Interest of the child: outcomes of decision-making must align with this policy, protect the rights and the well-being (physical and mental health) of the child

Chain of Authority: immediate supervisor; project manager or department head; **Director** of HR.

Response Team: a committee of 3, including either the Director of Human Resources, plus two to be appointed by him. Members of the committee should not be in the same authority track of any of the involved participants nor in any relationship that could constitute a conflict of interest to either party. The team shall handle the investigation of any “incidents” and determine the appropriate response as specified in Section V of this policy.

¹ For the purposes of this policy, persons lacking mental capacity due to injury or congenital disability shall be considered “youth” or “children”.

SECTION II: BASIC PRINCIPLES and RIGHTS of CHILDREN

- A. **All children have equal protection from harm.** Children should not suffer physical or mental harm, and should be free of fear when interacting with adults.
- B. **No child shall suffer discrimination.** All children have equal rights regardless of gender, ethnicity, religion, language, ability, social or economic status.
- C. **All decisions must be made in the best interest of the child** in full consideration of how the child will be impacted by any decision.
- D. **All children have an equal right to life, survival and development.** Duty bearers are morally bound to support children in achieving a healthy life and reaching their full potential.
- E. **All children have the right to be free from fear.** They should feel confident that adults will protect them and should have expectation that, as much as possible, adults will ensure their safety, health, listen to their concerns and make decisions in the best interest of the child.
- F. **All children have the right to an education.** Education should develop each child to their full potential. Discipline in schools must respect children's dignity and their rights. PYD policy does not permit corporal punishment.
- G. **All children have the right to be respected.** They have the right to have their person, their feelings, opinions and their reputation respected. This right is encumbered with a responsibility on the part of the child, to respect their parent, teachers, adults and peers.
- H. **All children have the right to free expression** of their views, by speaking writing, drawing or via any appropriate means of communication. This right is encumbered with a responsibility on the part of the child to respect the rights, reputation and feelings of others, both children and adults.
- I. **All children have the right to participate** and provide input to decision making that will impact them. Adults will listen to children and give respect and credence to their reports and to their opinions. The views of the child shall be seriously considered in the decision-making process.

SECTION III: INDIVIDUAL RESPONSIBILITY

- A. Individuals are responsible with familiarizing themselves with this policy which is available in the Personnel Policy and Procedures available at HR, Document control or from the U Myint Win, Parami legal and compliance officer.

SECTION IV: PROCEDURES

- A. Any perceived violation of this policy must be dealt with immediately (by close of day or maximum, within 24 hours).

- B. Managers, teachers, abbots and health care workers are mandated reporters. As such they are required (except as noted in Section IV.D) to report incidents to the appropriate person above them in the chain of authority. Together they will proceed with the investigation process specified in Section IV.E.

- C. Violations include physical violence or mental trauma against a of child, neglect, poor treatment by any caretaker, including parents, teachers and relatives. Actions or threats that cause children severe anxiety, fear, or compel them to act against their own best interest are considered mental trauma.

- D. Managers are allowed discretion to handle minor or accidental violations by correcting the offender and assuring appropriate remediation for the protection of the child. Second offenses must be noted in writing to HR.
 - 1) After receiving the initial report, if the manager deems this is not a minor incident and/or requires further investigation, he/she will notify the Director of HR who will convene a response team (RT).
 - 2) The HR Director will engage the parents.

- E. Incident investigation shall be handled by the RT and proceed with the utmost discretion, so as to protect the privacy and reputation of both the child and other involved parties.
 - 1) All information will be handled internally with the highest level of confidentiality and shared only with those who have a “need-to-know” regarding the incident resolution.
 - 2) The person reporting the potential violation (“reporter”) shall be protected from any repercussions or retaliation of this action.
 - 3) All interviews will be documented in writing and/or on audio recording.
 - 4) The reporter will be interviewed.
 - 5) The child will be interviewed.
 - a. If under age 12 the interview will take place with or in the presence of a person with whom the child is comfortable.
 - b. Discourse will commence with determining a mutual understanding of “truth”.
 - i. Child will be informed that this conversation is happening because
 - a) “We care about you and want to be sure that you are not being hurt and are having a good opportunity to learn and be happy here.”
 - ii. Child will be given assurances that
 - i. their story will be heard and believed;
 - ii. their privacy and reputation will be respected;
 - iii. they will not be punished for telling their story.

- B. Witnesses will be interviewed.
 - a. Witnesses will be appraised of the importance for confidentiality in this process.

SECTION V: CONSEQUENCES and REMEDIATION

- A. Violations that are considered “minor”, unintentional or due to misunderstanding and are unlikely to have any serious physical or emotional affect on the child and/or could potentially negatively affect the child if pursued further.
 - 1) These will be handled by assuring the best interest of the child by assuring
 - a.that the child’s well-being is fully restored;
 - b.the precipitating action will not recur;
 - c.the person promulgating the offense is appropriately educated as to correct behavior and/or re-assigned to a position that does not interact with children.
- B. Intentional violations, incidents that impact the overall physical or emotional well-being of the child, shall result in the termination of employment.
 - 1) Maximum effort will be expended to assure
 - a.that the child’s well-being is fully restored;
 - b.the precipitating action will not recur.
 - 2) If appropriate, a child psychologist will be consulted to advise on possible additional remedial action.
- C. Violations that involve decision-making that is not in the best interest of the child, puts children at risk of physical or emotional harm, or negatively impacts their general well-being will cause the person to be removed from the decision-making position and/or re-assigned to a position that has no contact with children.
- D. If it is determined that a criminal event has occurred, such as battery or sexual assault, the incident and investigation materials will be turned over to the civil authorities.

SECTION VI: RESPONSIBILITIES of the Child

- A. The behavior between and amongst individual and groups of children in our programs must respect all the “Rights of the Child” as defined in Section II.
- B. This policy will be posted in language that is clear to children, as “Rules of Behavior.”
 - 1) These rules will include an anti-bullying policy and a requirement that property and all persons (including adults) be treated with respect.
- C. There will be consequences for violations however they may not include corporal (physical) punishment.
- D. Consequences for violations deemed “minor” should implemented immediately by the supervising adult.
- E. Serious incidents may require suspension or expulsion from our programs and will be implemented by the school administrator.

SAMPLE RULES: Everyone has a right to learn. You will help them do this.

You will not hurt anyone.

You will not make anyone afraid.

You will treat everyone with respect.

You will not damage stuff that belongs to others.

You will use materials in a constructive way that meets the program goals..

SECTION 11

CHILD PROTECTION POLICY