



Children Protection Policy

January, 2022

Version 2

- All OPHIZ' staff: manager (executive director) and employees;
- OPHIZ' Associates: All those acting on behalf of OPHIZ, such as volunteers and interns, consultants, trainers and service providers;
- Partner organisations' staff working in the programmes involving children.

Glossary of terms used in OPHIZ' Children Protection Policy

Children - In line with the UNCRC, for the purposes of the present Policy, by child we refer to every human being below the age of eighteen years. (UNCRC Article 1).

Abuse - In line with WHO definitions, child abuse or maltreatment constitutes all forms of physical and/or emotional ill-treatment, sexual abuse, neglect or negligent treatment or commercial or other exploitation, resulting in actual or potential harm to the child's health, survival, development or dignity in the context of a relationship of responsibility, trust or power.

Physical abuse- is defined as those acts that cause actual physical harm or have the potential for harm.

Emotional abuse - is persistent emotional ill-treatment of a child such as to cause severe and persistent effects on the child's emotional development.

Sexual abuse - is defined as those acts where a perpetrator uses a child for sexual gratification. It involves forcing or enticing a child to take part in sexual activities, whether or not the child is aware of what is happening.

Neglect - refers to the persistent failure to meet the child's basic physical and/ or psychological needs, likely to result in the serious impairment of the child's physical or cognitive development.

Violence - is defined as physical, psychological (psychosocial), and sexual violence to children through abuse, neglect or exploitation, as acts of commission or omission in direct or indirect forms, that endanger or harm the child's dignity, physical, psychological, or social status, or development.

Trafficking in persons - (or *Human trafficking*) means the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of

coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs. The consent of a victim of trafficking in persons to the intended exploitation set forth in previous sentence is irrelevant where any of the means set in previous sentence have been used. The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered human trafficking even if this does not involve any of the means set forth in first sentence.

Principles underlining OPHIZ' Children Protection Policy

OPHIZ bases its protection policy for children in 5 main pillars:

1. All children have the right to be safe and uphold equal rights to protection from both harm and abuse.
2. Organisations have a duty of care to children with whom they work, are in contact with, or who are affected by their work and operations.
3. Everybody has a responsibility to support the protection of children.
4. The right of children to have their best interests be a primary consideration in all matters involving or affecting them must be respected, especially when they are victims of violence, as well as in all measures of prevention.
5. Children's rights to be heard and to have their views given due consideration must be respected systematically in all decision making processes, and their empowerment and participation should be central to child caregiving and protection strategies and programmes.

Objectives of OPHIZ' Children Protection Policy

The objectives of the Institution's Children protection policy are the following:

- To make all OPHIZ' staff, associates and partner organizations' staff aware about all aspects of child protection and all the procedure about the prevention, disclosure, reporting and responding to abuses.
- To ensure that all OPHIZ' staff, associates and partner organizations' staff are well supported in meeting their roles and responsibilities in protecting children.

- To ensure that all children involved in actions and programmes directly implemented or supported by OPHIZ are kept safe from all forms of abuse and harm and that any concerns we have about children's safety within the communities in which we work, are reported to the appropriate authorities.

Screening and Hiring Practices

OPHIZ establishes and sustains proper hiring and volunteer, internship selection practices, including completed applications, reference checks, Criminal Background Checks, Social Security checks and documented personnel files, and includes specific reference to Child Protection in its Code of Conduct.

Applications

- All prospective staff members, volunteers interns, or partner associates will fulfil an application form that includes questions regarding past work history, volunteer experience and, education.
- All application forms will include a statement regarding the Institution's zero-tolerance standard for abuse and inappropriate behaviour by members and partners.
- All staff members who may be involved in working with children and young people, or who are deemed likely to come in contact with children in the fulfilment of their duties, will be requested to provide a certificate of their national criminal record, according to national legislation.

Reference checks

OPHIZ reserves the right to apply the following reference check procedures to any candidate applying for a position:

- Contacting references indicated by prospective staff members, including close family members to the applicant;
- Contacting previous employers/agencies to check if the prospective staff member is eligible for rehire, as well as to ask about the ability of the applicant to work with children;
- Verbally verifying written references via telephone or other means of contact;
- Searching a candidate online and checking for red flags for working with children;
- Search, any national sexual predator websites, and social networking sites).

Interviews

- Prospective staff members should be interviewed by at least two separate staff members. A 'Realistic Job Preview' or 'Working Interview' meets this requirement; it is important that the candidate is assessed by more than one staff member.
- Interviews will be documented on an association -approved interview form that ensures the consistency of the questions asked. CESIE interview evaluation forms may be used during the interview process.

Data Protection and Privacy

- I. The Code of Conduct includes procedures for data collection and treatment of data about children and young people.
- II. Staff working with children and needing to collect personal data about children or young people shall refer to the Data Protection Policy of OPHIZ and to the General Data Protection Regulation (GDPR) (EU) 2016/679.
- III. OPHIZ does not share the personal data provided with any other entity.
- IV. Staff who may come in contact with personal data of research participants is required to sign a declaration of confidentiality before engaging in research.
- V. The declaration of confidentiality is specific to each case/project.

OPHIZ' CHILDREN PROTECTION CODE OF CONDUCT

This Code of Conduct includes guidance on ethical and proper standards of behaviour and defines acceptable and unacceptable behaviour of adults towards children. OPHIZ considers all forms of abuse and harm towards children to be unacceptable. Any form of unacceptable behaviour which breaches this Code of Conduct must be reported.

We shall:

- Treat all children with respect and equally.
- Encourage and respect children's voices and views.
- Plan activities in such a way to minimise the risk of harm.
- Develop special measures/supervision to protect younger and especially vulnerable children from peer and adult abuse.
- Use non-violent and positive behaviour methods when supervising children.
- Inform children and their parents of their right to report any worrying situations and how they can raise a concern.
- Ensure that information concerning children and families remains confidential.
- Make sure that another adult is present or try to be visible when being in contact with a child.
- Obtain written consent from the child and parent/guardian when photographing, filming or requesting personal information for activities. This includes explaining to children and their parent/guardian how the photographs, films/videos or information will be used.
- Ensure photographs, films/videos present children in a dignified and respectful manner and that the identities and sensitive information about children are not disclosed.
- Immediately report concerns or allegations of child abuse and of behaviour which goes against the principles of the Child Protection Policy and Code of Conduct to the mentor or directly superior and to the Child Protection Focal Person. The Child Protection Focal Person immediately informs executive director and participates in the procedure.

We shall not:

- Discriminate against, treat children unequally or unfairly or in favour of particular children to the exclusion of others.
- Act in any way that may be abusive or place others at risk of abuse.
- Discriminate, shame, humiliate, belittle, or degrade a child, or otherwise emotionally abuse a child (e.g. use inappropriate language – whether of an offensive,

discriminatory, demeaning, abusive or sexual nature – when speaking with or whilst in the presence of a child; tell a story/show pictures that will mentally or emotionally abuse a child).

- Hit or otherwise physically assault children.
- Behave in an inappropriate or sexually provocative manner or engage in any form of sexual activity with children.
- Access or create sexually abusive images of children.
- Touch a child in an inappropriate, unnecessary or culturally insensitive way.
- Condone or participate in, behaviour with children which is illegal, unsafe or abusive.
- Hire children for labour which is inappropriate for their age or development, interferes with their education or play, or places them at risk of injury.
- Use computers, mobile phones, video or digital cameras or any other technology for the purpose of exploiting or harassing children.
- Be alone with a child in any circumstances that might be questioned by others.
- Ever have a child stay overnight in the adult's room or sleep in the same bed (unless prior consent is provided by both the child and his/her parent/guardian).
- Perform activities for children that they can do themselves, including dressing, bathing and grooming.
- Suggest inappropriate behaviour or relations of any kind or encourage any crushes by a child.
- Take photographs, film or request personal information if not required for OPHIZ' activities.
- Publish an information, story, photograph or video/film without the prior authorisation of the mentor and manager.
- Publish an information, story or photograph which may endanger children or their family.
- Post unofficial pictures or information about children on personal websites or social networks.
- Invite a child to home without the prior consent by his/her parent/guardian and the authorisation of the mentor or direct superior.
- Work with or transport a child alone without the prior consent by his/her parent/guardian and the authorisation of the mentor or directly superior, unless absolutely necessary for the safety of the child.
- Be under the influence of drugs or alcohol while working with children.
- Ignore or fail to report any concern, suspected violation or violation of the Child Protection Policy and the Code of Conduct to the mentor or directly superior and to the Child Protection Focal Person.

Data Processing

- Data privacy and protection issues shall comply with relevant EU rules (especially the General Data Protection Regulation (GDPR) (EU) 2016/679.
- If personal data about children and young people needs to be collected, written informed consent will be sought from their parents/legal guardians.
- Data will be collected and used only for the specific purposes for which they are provided. Staff working with children and needing to collect personal data about children or young people shall refer to the Data Protection Policy of the institution and to the General Data Protection Regulation (GDPR) (EU) 2016/679.
- OPHIZ does not share the personal data provided with any other entity.

Confidentiality

- Staff who may come in contact with personal data of research participants is required to sign a declaration of confidentiality before engaging in research.
- The declaration of confidentiality is specific to each case/project.

Children Protection Focal Person:

Noémia Bessa Vilela

e-mail: nbessavilela@ophiz.org

COMPLAINT PROCEDURE

OPHIZ is committed to ensuring the safety and welfare of all children with whom we work and has put in place a complaint procedure to cover any situations which may arise, when service users (including children and their parents/guardians) are not satisfied with the way they were treated by OPHIZ' staff.

Complaint procedure:

In case, service beneficiaries are not happy with a programme or want to express their dissatisfaction with it, they can make a complaint, verbally or in writing to a programme manager. There is a two-stage complaint procedure in order.

Programme implementers are obliged to respect the principles of **The Code of Ethical Principles in Social Protection**, and is there is the possibility to object as defined in the Article 94, of the **Social Security Act**.

The Procedure is as follows:

1. In the first stage, a beneficiary or his/her legal representative has a possibility to make a written complaint to OPHIZ, or in case of a consortium to the main consortium leader, if applicable. i.e. to the executive director. A written response proposing a solution or providing an explanation should be presented by the receiver of the complaint. In case the proposed solution is not accepted, or if the response does not meet the expectations of the complainant, in the second stage of the complaint procedure, he or she has the possibility to readdress his/her complaint and file an appeal.
2. If the beneficiary or his legal representative's complaint fails, or he or she is still not satisfied with the service or with the work and procedures by programme implementers, based on Article 105 of the Social Security Act, he or she can make a request or initiate an extraordinary inspection. The request shall be submitted to the following address: Labour Inspectorate of the Republic of Slovenia – Inspection for Social Affairs, Verovškova 64a, 1000 Ljubljana.
3. Whenever a complaint by a service beneficiary or his legal representative is decided upon by an administrative decision, the beneficiary or his/her legal representative can make a complaint or objection in accordance with the remedies that are stated therein. Same procedures can be applied in the case the competent authority of the application does not make its decision within the legally defined deadline.

DECLARATION OF COMMITMENT

All OPHIZ' staff, associates, such as board members, volunteers and interns, consultants, trainers, external contractors who provide services for OPHIZ and partner organisations' staff will be expected to read OPHIZ' Children Protection Policy, Code of Conduct and Complaint Procedure and sign a commitment to adhere to its principles and procedures.

Declaration of Commitment to OPHIZ' Children Protection Policy

I, undersigned, _____, have received, read and understood OPHIZ' Children Protection Policy, Code of Conduct and Complaint Procedure.

I agree with the principles, standards and guidelines contained therein and agree to work in accordance with them. I understand that any failure to uphold the Children Protection Policy and the Code of Conduct may result in disciplinary proceedings, reporting to the concerned authorities and in the immediate termination of contract or partnership agreement.

I declare that no security measure of compulsory psychiatric treatment or compulsory treatment of addiction or prohibition to perform profession, work or duties related to the work with children was ordered to me. There were no criminal proceedings against me and/or I was not convicted of an offense against life and body, sexual integrity or for unlawfully obtaining material benefits, nor do I know of any reason why anyone would consider me unsuitable to work with children.

_____ (Name) _____ (Job title/Role)

_____ (Signature) _____ (Date and Place)