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Child Protection Policy



European Network of Ombudspersons for Children

ENOC SECRETARIAT

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INTRODUCTION

Child abuse can occur in all countries and in all societies. It involves the physical, sexual, emotional abuse and neglect of children and young people. It can take many forms and across any situation that a child may be in. In order to prevent, report and support children and young people, ENOC has developed this child protection policy.

We would like to acknowledge Eurochild who have kindly allowed us to use and adapt their policy. We are also grateful to ENOC member institutions who have contributed to the development and endorsement of this policy.

The policy was endorsed at the ENOC General Assembly in Belfast on the 27th of September 2019.

The European Network of Ombudspersons for Children (ENOC) is a not for profit association of Independent Children's Rights Institutions operating in Council of Europe member states and is based in Strasbourg, France. Its mandate is to facilitate the promotion and protection of the rights of children, as formulated in the UN Convention on the Rights of the Child. Among other activities ENOC organizes consultation meetings and other activities in which children and young people participate and express their views and opinions on various subjects connected with their rights. Specifically ENOC hosts the European Network of Youth Advisors (ENYA).

ENOC's work is underpinned by the United Nations Convention on the Rights of the Child (UNCRC). Child protection is crucial to ensuring that children and young people have the rights, information and space in which they can express their views and communicate effectively with other children and adults. Children can only become empowered agents of change to improve their lives and that of their families and communities if they are safeguarded from abuse, discrimination and harm of any kind, be it physical, sexual, emotional or neglect.

1. CHILD PROTECTION PRINCIPLES AND VALUES

Based on the UN Convention on the Rights of the Child

This Child Protection Policy deals with the protection of children and young people as defined by the UN Convention on the Rights of the Child. The UNCRC should be taken holistically, providing a comprehensive framework for the protection, provision and participation of all children. All children and young people involved in ENOC activities, projects and programmes have the right to have their well-being and their best interests considered as top priority.

Non-negotiable duty

All organisations working for children's rights have an absolute duty to protect children from abuse, maltreatment, and exploitation both from within and external to organisations and therefore are required to have adequate standards, policies and mechanisms for protection in place.

Open environment

ENOC therefore believes that in order to prevent abuse or address abuse of a child or young person it is important to create an environment where :

- issues of child protection are discussed openly and are understood by children and adults;
- there are open lines of communication both internally and externally within and between member organisations to improve awareness and implementation of child protection policies and practices;
- there is a framework to deal openly, consistently and fairly with allegations concerning both direct and indirect abuse.

Children's Participation

ENOC works with and for children throughout Europe, striving for a society that respects the rights of children. ENOC believes that children's participation promotes the protection of children. ENOC aims to create spaces where children feel able and willing to speak about abuse, free from abusers and which empowers them to become actors in their own protection without further discrimination or shame. ENOC members work to empower children by making them aware about their rights and creating a safe environment in which they can exercise their rights.

Implementation and accountability

This Child Protection Policy is developed to ensure the highest standards of professional behaviour and personal practice to ensure no harm occurs in any situation to children and young people during their involvement in ENOC activities, projects and programmes.

The Child Protection Policy is supported by clear guidelines on how it needs to be implemented by organisations participating and supporting children in ENOC activities, projects and programmes. Special procedures and checklists are part of the Child Protection Policy, including reporting procedures and actions following behaviour, which is not in compliance with the child protection standards.

These principles underpin all of the following standards set out in this document.

1.1. DEFINITIONS

Child

A child is defined as anyone under the age of 18, in line with the UN Convention on the Rights of the Child (1989). It is recognised that some Independent Children's Rights Institutions have remits for young people over the age of 18.

Direct contact with children

Being in the physical presence of a child/children in the context of ENOC's work, whether contact is occasional or regular, short or long-term. This includes all ENYA work and could involve attending meetings and conferences at which children are present.

Indirect contact with children

ENOC has a responsibility to ensure appropriate child protection processes are in place in instances of indirect contact which will include:

1. Having access to information on children in the context of ENOC's work, particularly ENYA, such as children's names, locations (addresses of individuals or projects), photographs and case studies.

2. Providing funding members that work 'directly' with children particularly through ENYA. Although indirectly, this nonetheless has an impact on children, and therefore confers upon the donor organisation responsibility of child protection issues. (N.B. this list of examples is not exhaustive).

Member

For the purpose of this policy, a member is a full or associate member of ENOC.

1.2. DEFINITIONS OF CHILD ABUSE

According to the World Health Organisation, "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'[1].

Our understanding of child abuse and exploitation includes, but is not limited to:

- Physical abuse may involve hitting, shaking, throwing, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child.
- Emotional abuse is the persistent emotional ill-treatment of a child such as to cause severe and persistent effects on the child's emotional development. It may involve conveying to children that they are worthless and unloved, inadequate, or valued only so far as they meet the needs of another person. It may involve age or developmentally inappropriate expectations being imposed on children. It may involve causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of ill-treatment of a child, though it may occur alone.
- Sexual abuse involves forcing or enticing a child to take part 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 in the production of, pornographic materials or watching sexual activities, or encouraging children to behave in sexually inappropriate ways.

^[1] The WHO definition of Child Abuse asdefined by the Report of the Consultation on Child Abuse Prevention WHO – 1999

- **Neglect** is 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. [2]
- Commercial sexual exploitation of children [3] comprises sexual abuse by the adult and remuneration in cash or kind to the child or a third person or persons. The child is treated as sexual object and as a commercial object. The commercial sexual exploitation of children constitutes a form of coercion and violence against children, and amounts to forced labour and a contemporary form of slavery.
- Commercial exploitation means exploiting a child in work or other activities for the benefit of others and to the detriment of the child's physical or mental health, education, moral or social-emotional development. It includes, but is not limited to, child labour.
- Criminal exploitation children being forced to participate in illegal activities such as forced begging, shoplifting and pickpocketing, cannabis cultivation, drug dealing. A child who is being abused may often experience more than one type of cruelty.

2. THE NEED FOR A CHILD PROTECTION POLICY

"States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or 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 the care of the child." Article 19, UNCRC

It is the responsibility for all independent children's rights institutions to ensure that Article 19 is realised for all children.

ENOC needs a child protection policy to fulfil its commitment to protecting children and such a policy applies to everyone associated with the Network who will be expected to read ENOC's Child Protection Policy and sign a commitment to adhere to its principles and procedures.

^[2] Physical, emotional, sexual abuse and neglect- Child protection fact sheet: The definitions and signs of child abuse. NSPCC,2009

^[3] Questions and Answers about the Commercial Sexual Exploitation of Children. ECPATInternational, 2001

As of the 2019 General Assembly, new applicants for ENOC membership will be expected to demonstrate the existence of their own child protection policy, which meets, or goes beyond, that of ENOC. If no child protection policy is in place, they will be asked to sign up to ENOC's child protection policy and demonstrate their commitment to develop their own child protection policies and procedures, which reflect the local context and legal framework.

Existing members will also be asked to send the ENOC secretariat their own child protection policy and/or sign up to ENOC's child protection policy.

3. RISK ASSESSMENTS AND SAFE PROGRAMME DESIGN

ENOC is committed to designing and delivering programmes that are safe for children. Risk assessments are therefore conducted accordingly.

4. ENOC'S CHILD PROTECTION POLICY

This Policy is developed to ensure the highest standards of professional behaviour and personal practice to ensure no harm occurs in any situation to children during their involvement in any ENOC activities or projects.

4.1. STAFF AND PERSONNEL

As a condition for working with ENOC, all staff; Management Board members; interns and volunteers and all those acting on behalf of ENOC, such as members, consultants or trainers are required to:

- 1. Accept and commit to the Child Protection Policy
 - a. Staff, volunteers, interns and consultants are recruited with clear job or role descriptions that include a statement on the position or role's responsibilities to meet the requirements of ENOC's child protection policy.
 - b. All recruitment interviews should include a discussion on child safeguarding and protection, the candidate's understanding of this and ENOC's commitment.
 - c. Adherence to ENOC's Child Protection Policy is part of ENOC employment contracts and service agreements.

2. Sign a personal declaration stating any criminal convictions, including spent convictions. ENOC job application forms include a question asking for consent to gain information on a person's past convictions/pending disciplinary proceedings.

For those working directly with children, are added:

Where such systems exist that satisfactory clearance through a police check conducted by the responsible authorities of the country of origin/birth.

3. Provide the name and contact information of two character references they have known for no less than two years, excluding family members, who have knowledge of the candidate's experience and suitability to work with children. The identity of the referees will be verified.

4.2. MANAGEMENT

A Child Protection officer (CPO) (who will be a member of the Bureau) will be nominated by the bureau and will be responsible for:

- Promoting awareness and implementation of the Child Protection Policy throughout the organisation;
- Monitoring implementation of the Policy and reporting to the Bureau;
- Acting as a source of support and information for staff on safeguarding issues;

Specific procedures and checklists are part of the Child Protection Policy and are referred to in section 7 which address the implementation strategy for the Child Protection Policy, including reporting procedures and monitoring and evaluation processes. Safeguarding will be included within the development of projects by ENOC.

5. ENOC'S CHILD PROTECTION CODE OF CONDUCT

ENOC will take all necessary actions to prevent and/or respond to child protection situations. ENOC will never ignore and will respond to all reports of actual or alleged abuses based on its Child Protection Policy, irrespective of the nature of the referral, who the allegations are about or who the referrer is or where she/he is from. This response must not include investigation which will be undertaken by the relevant child protection and police services.

This Code of Conduct includes guidance on ethical and proper standards of behaviour of adults towards children, and also of children towards other children. It has been developed with the best interests of the child as the primary consideration and should be interpreted in a spirit of transparency and common sense. ENOC aims for everyone, children and adults, to participate in a safe and happy way in ENOC's work and activities.

D0:

- ✓ Be aware what constitutes child abuse and exploitation (included in the Child Protection Policy) and understand its provisions.
- ✓ Know signs of abuse and reporting any suspicious observations immediately to the Child Protection officer.
- ✓ Ensure that you know who the Child Protection Officer is.
- ✓ Respect lines of authority and reporting procedures.
- ✓ Treat all children equally: be inclusive and involve all children without discrimination.
- ✓ Maintain high standards of personal and professional conduct both personally and in others.
- ✓ Protect the health, safety and well-being of yourself and others.
- ✓ Be aware of high-risk peer situations (e.g. unsupervised mixing of older and younger children and possibilities of discrimination against minors) and the potential for peer abuse.
- ✓ Be concerned about the way in which your language, actions, and relationships with children could be perceived.
- Develop special measures/supervision to protect younger and especially vulnerable children from peer and adult abuse.
- ✓ Provide an enabling environment for children's personal, physical, social, emotional, moral and intellectual development.
- ✓ Encourage and respect children's voices and views.

- ✓ Limit access to and/or not expose children to any inappropriate electronic material.
- ✓ At all times respect the confidentiality of children's personal information.
- Obtain written consent from the child and parent/carer when photographing, filming or requesting personal information for activities (see section 7 and Annex 3).
- ✓ Ensure that there is a minimum of two staff members present in meetings with children (to allow one to go out to deal with any immediate needs of children).
- ✓ When participants are invited to stay overnight, room sharing arrangements are agreed in advance and with consent of the parents/guardians and children.

DON'T:

- X Engage in any form of sexual activity with children.
- Never have a child stay overnight in the adult's room, unless prior consent is provided by both the child and his/her parent/guardian. Never sleep in the same bed as a child.
- X Do not perform activities for children that they can do themselves, including dressing, bathing and grooming.
- No not discriminate, shame, humiliate, belittle, or degrade children. This includes anything that may be considered emotional abuse (e.g. use language that will mentally or emotionally abuse a child or tell a story/show pictures that will mentally or emotionally abuse a child).
- X Do not hit or otherwise physically assault participants.
- X Do not act in any way that may be abusive or place others at risk of abuse.
- X Do not condone violations of this code by others staff, interns, consultants, etc.

- X Do not be alone with a child in any circumstances that might be questioned by others
- X Do not allow children to engage in sexually provocative games with each other.
- X Do not suggest inappropriate behaviour or relations of any kind or encourage any crushes by a child.
- X Do not take photos, film or request personal information if not required for ENOC's activities.
- ➤ Do not use inappropriately contact details (including social media accounts) from children out of ENOC's programmes.
- X Never guarantee confidentiality to a child.
- X Do not investigate any disclosures from a child.

Report any suspicious observations or alleged abuse as well as any circumstances or situations, which may be subject to misinterpretation to the Child Protection Focal Person.

6. IMPLEMENTATION

6.1. REPORTING PROCEDURE

All witnessed, suspected or alleged violations of ENOC's Child Protection Policy will be immediately reported to the Child Protection Officer – using the safeguarding reporting form (Annex 2). The guiding principle is that the safety of the child is always the most important consideration.

At meetings and activities where children are directly involved, children will be informed about ENOC's safeguarding policy and complaints mechanism in a child-friendly manner.

The first stage is to decide whether the concerns are internal to the organisation or relate to an external situation.

Disclosures or Suspicions of Abuse

If a child or young person discloses abuse or there is reason to believe that the child or young person has been or is at risk of abuse the following steps must be taken:

- 1. Details of the statement or suspicion must be recorded as soon as possible after the conversation takes place (Annex 2).
- 2. Should the information come from a third party ENOC has a duty to report it to the Child Protection Office. (Annex 2).
- 3. The CPO will decide the appropriate action to take including whether a referral to the authorities is justified.
- 4. In the case of suspicions the CPO will advise the staff member whether to discuss concerns with or inform the child or young person of referral to the relevant authorities.
- 5. If for some reason, no CPO is contactable, then the employee should contact a member of the Bureau.

• Allegations or Suspicions of Abuse against ENOC staff

If allegations or suspicion of abuse of a child or young person is made against a staff member the following procedure must be followed:

- 1. All allegations or suspicion by member of ENOC staff must be reported to the CPO and the Bureau.
- 2. The protection of the child is the priority and the CPO in consultation with the Chair will decide if a referral to the relevant authority is appropriate.
- 3. The Chair will proceed in accordance with ENOC's Disciplinary Policy.

6.2. IMPLEMENTATION STRATEGY: THE INTERNAL SAFEGUARDING PROCEDURE

ENOC will immediately suspend any employee, volunteer, intern, bureau member, consultant, adviser who is alleged to have violated the Child Protection Policy, pending the outcome of the investigation. ENOC reserves the right to take any disciplinary action against any of the above who have been proven guilty in an investigation, which may include reporting the incident to the police.

The investigation completed by the designated Bureau member will be submitted to the Bureau who will come to a decision about action to be taken. Decisions from any investigation will be confirmed in writing to the individual concerned.

Acts of a criminal nature will be referred to the police and/or Children's Welfare Services in the relevant jurisdiction.

When investigating concerns ENOC will abide by the disciplinary policy.

In cases where staff from ENOC members or accompanying adults with children are alleged to have violated ENOC's Child Protection Policy in meetings and activities organised by ENOC, this must be reported to the CPO, who will investigate discreetly, report and make recommendations to the Chair of the Bureau and appropriate action will be taken. This could include a referral to police or child welfare services or a complaint to the employing member. In case the person or organisation is not able or willing to change its behaviour according to the standards of ENOC's Child Protection Policy, the Bureau may recommend to the General Assembly to suspend further the member organisation in accordance with ENOC statutes.

7. REVIEW

The aim of monitoring and evaluating the Child Protection Policy is to learn from practical case experiences, which will contribute to inform policy reviews and changes to the Child Protection Policy.

ENOC will regularly monitor the implementation of its Child Protection Policy and procedures. Progress, performance and lessons learned are reported by the CPO to the Bureau annually. Monitoring and evaluation will be done by checking whether the standards from the Child Protection Policy are implemented and whether safeguards are working. This will be done by carrying out a survey among ENOC staff, interns and volunteers on how the standards from the Child Protection Policy are being met, how effective they are and what needs improving.

Next to the overall monitoring and evaluation of the Child Protection Policy, reactive monitoring will take place, after incidences have occurred, which will contribute to a learning process for ENOC and if necessary changes to the Child Protection Policy or reporting procedures.

8. STATEMENT OF COMMITMENT TO ENOC CHILD PROTECTION POLICY

I,,	have	read	and
understood the standards and guidelines outlined in	this Chil	d Protec	tion
Policy. I agree with the principles contained ther	ein and	accept	the
importance of implementing and promoting the child	d protect	ion poli	cies,
procedures and practices contained within this docum	ent while	e workin	g or
associated with ENOC. I understand that any failure t	o respec	t this po	olicy
may result in the termination of my engagement w	ith ENO	C, or fur	ther
disciplinary or judicial proceedings as mentioned abov	e.		
Furthermore, I declare that I have no criminal records	regardin	g an offe	ence
towards a child (which I have not previously declared)	and nor	do I kno	w of
any reason why anyone would deem me unsuitable to v	work with	n childre	n.
	(Nama)		
	(Name)		
	(Job title	:/role)	
	(Date)		

_____ (Signature)

ANNEX 1 - RECOGNISING SIGNS OF ABUSE

PHYSICAL ABUSE

NEGLECT

Bruises, burns, sprains, dislocations, bites, cuts

Improbable excuses given to explain injuries

Refusal to discuss injuries

Withdrawal from physical contact

Arms and legs kept covered in hot weather

Unwillingness to participate in physical activities that may involve undressing, e.g. sports

Fear of returning home or of parents being contacted

Showing wariness or distrust of adults Self-destructive tendencies

Daing a garagive towards athe

Being aggressive towards others Being very passive and compliant

Chronic running away

Frequent hunger

Taking scraps of food from bins or plates, or stealing food

Poor personal hygiene

Constant tiredness

Inappropriate clothing, e.g. summer clothes in winter

Frequent lateness or nonattendance at school

Untreated medical problems

Low self-esteem

Poor social relationships

Poor language and communication skills for their age

Compulsive stealing

Drug or alcohol abuse

EMOTIONAL ABUSE

SEXUAL ABUSE

Physical, cognitive or emotional development is delayed

Highly anxious

Self harm such as cutting or scratching Showing delayed speech or sudden

speech disorder

Fear of new situations

Isolated from peers

Low self-esteem

Inappropriate emotional responses to situations

Extreme passivity or aggression

Drug or alcohol abuse

Chronic running away

Compulsive stealing

Age inappropriate sexualised behaviour or highly sexualised language

Bed wetting or soiling

Anal or genital soreness

Sleep or concentration problems

Fear of being with adults

Promiscuity

Extreme risk taking in adolescents

POSSIBLE SIGNS OF CONCERN REGARDING ADULT BEHAVIOUR:

A person in whose presence the behaviour of a child significantly changes such as becoming withdrawn, fearful, distressed or agitated

Asking a child to lie or keep secrets

Breaches of the organisation's Code of Conduct

Initiating private contact with a child, in person or by e-mail or phone

ANNEX 2 - SAFEGUARDING REPORTING FORM

ABOUT YOU

If you have knowledge that a child might be at risk of harm, please complete this form to the best of your knowledge.

Please note that child protection concerns must be reported (orally or in writing) directly to ENOC Child Protection Officer (preferably within the same working day) – depending on the urgency, you may wish to complete this form before contacting the Child Protection Officer or you may wish to complete the report afterwards. Also use this form to report an accident or incident. An accident is an unplanned event that results in an injury or could have resulted in an injury or results in damage to equipment or property OR harm to the environment. An incident is an unpleasant or unusual event. The report should be written and signed only by you to guarantee confidentiality. It should be sent only to the Child Protection Officer, who will hold it in a safe and secure place and treat it with the strictest confidentiality.

Child's address: ______

Child's parents/guardians:
Has any treatment been given to the child?
Treatment given by
Taken to hospital - YES - NO If yes, which hospital and how taken
ABOUT YOUR CONCERN, DETAILS OF THE INCIDENT
Was the incident: □ Observed by you □ Suspected □ Disclosed by someone else
If the concern was shared by someone else, please state who and their relationship to the child:
What happened? Give cause (how and why) if known - If you include personal observations please make a distinction between what is a fact and what is opinion or hearsay (e.g. child's emotional state, visible injuries, etc.):
Did the child/young person or another source say anything to you [if relevant] and how did you respond to him or her:

Date of the alleged incident:
Time of the alleged incident:
Location of the alleged incident:
Name of the alleged perpetrator (if applicable):
Were there any other children/people involved in the alleged incident?
Are any other children at risk of harm?
Action taken by you:
Date:
Signature: :

• FOR COMPLETION BY THE CHILD PROTECTION OFFICER:

Incident/Accident investigated: - Yes - No

Written investigation report necessary:

Yes

No

In order to determine the cause of the incident or accident, it may be appropriate to interview parties who were involved. Witness detail, statements, etc. can be added here:

ANNEX 3 - CONSENT FORMS

• PERSONAL INFORMATION:

Your name and age:
Your address:
Your phone number:
Your mobile number (if available):
Your email address:
Are you happy to take part in(e.g. meeting/event/etc)? ¬ YES ¬ NO
Do you have any allergies we should know about? u YES u NO
Please give details:
Do you have any additional support needs you'd like us to know about (physical or learning disability, mental health issues, low confidence difficulties with communication, things you find it hard to talk about)? □ YES □ NO
Please give details:
Is there anything extra we can do to make sure that you can come along and participate fully? ¬ YES ¬ NO
Please give details:

Are you taking any medication we should know about? ¬ YES ¬ NO
Please give details:
Do you have any dietary requirements? □ YES □ NO
Please give details:
If you practice a religion, please tell us if there's anything connected to taking part in the event that we should know about:
• CONTACT PERSONS IN CASE OF EMERGENCY: (It is very important you fill in this section fully)
Person 1:
Name:
Relationship to you:
Phone number:
Mobile:
Person 2:
Name:
Relationship to you:
Phone number:
Mobile:

Please give details:

MEDIA CONSENT FORM:

We want to make sure you feel comfortable to take part in media activities:

The ENOC Secretariat will actively promote its events and ENYA activities on the ENOC website and social networks. We will publish photos and/or statements of participants to inform the public and decision makers.

If you or your parents/carers are interested in following the ENOC's work via social media, you can do this by following the ENOC twitter (@ENOChildren) and Instagram accounts (europeanombudspersons4children) or the ENOC website: http://enoc.eu/.

- □ YES □ NO
 - Is it ok for us to capture your voice in film, photos, audio, writing and/or art and to share this content in the ways listed above?
- □ YES □ NO
- Is it ok if we tell people your first name when we share this content? You can still take part in ENOC's activities even if you don't want us to tell people your name.
- □ YES you can share my first name □ NO you cannot share my first name

All media interviews will be conducted in consultation with and in the presence of your accompanying adult and a ENOC staff member. You have a right not to respond to any questions that you do not want to answer.

□ YES □ NO

• MY CONSENT:
Signature:
Location (where you live):
Today's Date:
• PARENT/LEGAL GUARDIAN CONSENT (IF UNDER 18):
My child/young person under 18 (please tick as appropriate): is allowed to participate in(event) is allowed to take part in media activities at(event)
 has been informed about the event goals, the voluntary nature of participation and anonymity in an age appropriate way has been informed that they can refuse to participate at any time with not consequences
 is allowed to receive appropriate medical attention from a registered practitioner if at any time my child requires urgent medical attention,
Full name:
Relationship to child/young person:
Signature:
Location:
Date:

ANNEX 4 - KEY CONTACTS

ENOC SECRETARIAT

Polina Atanasova - ENOC Coordinator

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ENOC CHILD PROTECTION OFFICER

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