

Manual on Child protection Policy

Article I. Preface

The Manual outlines and explores some of the key principles and issues relevant to child protection, as well as outlining the steps that are needed in order to develop, implement, monitor and evaluate child protection policies and procedures. The tools can be used by those with overall executive responsibility for an organization or by a designated person or group within the organization with responsibility for child protection issues. Since its foundation, AFA works towards achieving a discrimination-free, gender-equal and pro-choice environment in which young people will be able to develop, prosper and make informed decisions regarding various aspects of life. In all programs, we are committed to ensuring that the human rights of each child are respected in all segments of our work.

Article II. Definitions

CHILD - For the purposes of this document, a “child” is defined as anyone under the age of 18, in line with UN Conventional on the Rights of the Child, as well as with the Constitution of Republic of Serbia (Article 37).

CHILD ABUSE – According to the World Health Organization, “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, development or dignity in the context of a relationship of responsibility, trust or power”.

CHILD PARTICIPATION – Anyone below the age 18 taking part in a process or playing the role in the process at his/her level according to their evolving capacities – children and young people thinking for themselves, expressing their views effectively, and interacting in a positive way with other people; involving children in the decision which affect their lives, the life of the community and the larger society in which they live.

CHILD PROTECTION – A broad term to describe philosophies, policies, standards, guidelines, and procedures to protect children from both, intentional and unintentional harm. In the current context, it applies particularly to the duty of organizations – and individuals associated with those – towards children in their care.

DIRECT CONTACT WITH CHILDREN – Being in the physical presence of a child or children in the context of the organization's work, whether contact is occasional or regular, short or long term.

INDIRECT CONTACT WITH CHILDREN – Having access to information on children in the context of the organization's work, such as children's names, locations (addresses of individual projects), photographs and case studies.

CHILD PROTECTION POLICY – “A statement of intent that demonstrates a commitment to safeguard children from harm and makes clear to all what is required in relation to the protection of children. It

helps to create a safe and positive environment for children and to show that the organization is taking its duty and responsibility of care seriously”¹

INFORMED CONSENT – Capacity to freely give consent based on all available information, according to the age and evolving capacities of the child. For example, if you seek consent from a child regarding taking their photograph and using it for publicity purposes, the child is informed as to how the photograph will be used and is given the opportunity to refuse. If a child is invited to input into the development of child protection policy, they must be aware of the time it will take, what exactly will be involved, their roles and responsibilities and only then will they be able to give their “informed consent”

HARM refers to a negative impact on an individual's physical, emotional or behavioral health and well-being. Violence, abuse, neglect, exploitation often lead to an individual being harmed.

Article III. Introduction

AFA believes that each child must be protected from all source of harm, abuse, neglect and exploitation regardless of their age, sex, sexual orientation, gender, gender identity or expression, race, ethnic or national origin, religion or belief, disability, or any status. Creation of safe environment for all children requires cooperation and responsibility of it's all staff, volunteers or any association within AFA, and in this respect, AFA will not tolerate abuse or exploitation of children by staff, volunteers or anyone associated with the organization.

Although, children’s rights are guaranteed by Serbian National Legislation and ratified International documents, the protection of the children must be the responsibility of all relevant stakeholders, including NGO sector, especially those involved in human rights issues. The scope of this particular manual is concerned only with child protection within the organization – i.e. recruitment, management, the behavior of staff and anyone associated with organization, physical environment of facilities, engagement of children in organizational programs etc. For example, it does not look at issues of violence against children in the family, school, streets and community. These types of child protection concern outside the organization must be dealt with through organizations program and project work. This manual focuses on child protection within AFA organization and all individuals working for AFA, including volunteers and also, has a responsibility towards children they work with, who may be experiencing specific forms of maltreatment external to the organization. The manual does not address the special situation of establishing child protection policies and procedures for emergency situations dealing with temporary accommodation of a large number of migrants, refugees, and displaced children.

This manual is the outcome of long period consultation with different interested groups, such as staff, partners etc. AFA Child Protection Policy applies to all organizational staff and associates and represents a commitment to preventing and responding appropriately to harm children.

The manual outlines and explores some of the key principles and issues relevant to child protection as well as outlining the steps that are needed in order to develop, implement, monitor, and evaluate child protection policies and procedures. The manual also serves as a background reading on child protection

¹ Republic of Serbia does not have the Law on Rights of the Child; these rights are defined/guaranteed by the Constitution of Republic of Serbia and other relevant laws (Such as Family Law) and various international declarations/conventions ratified by Serbia

policies and procedures for those who will be involved in developing policies and procedures and their implementation.

Article IV. Introducing child protection

Types of violence / abuse experienced by children

Self-harm: e.g. harming oneself, suicidal thoughts; attempt or actual suicide

Peer abuse: e.g. bullying (physical or psychological); physical sexual abuse; gang violence

Abuse by adults: e.g. domestic violence (physical, psychological, sexual); corporal punishments, sexual abuse and exploitation

Societal abuse: a social, political, economic and cultural environment which actively encourages or tacitly condones violence against children

The abuse or neglect of a child can be caused by inflicting harm or by failing to act to prevent harm. Children may be abused in a family, in a community or institutional setting. Physical abuse may involve hitting, shaking, poisoning, burning, drowning, suffocating or otherwise causing physical harm to a child. Emotional abuse involves persistent emotional maltreatment of a child such as to cause severe persistent adverse effects on the child's emotional developing.

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or, not the child is aware of what is happening.

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

CHILD PROTECTION POLICY

A child protection policy provides a framework of principles, standards and guidelines on which to base individual and organizational practice in relation to areas, such as:

- Creating a "child-safe" and "child friendly" organization (in relation to protection against physical, psychological and sexual abuse)
- Prevention of abuse
- Personnel recruitment and training
- Robust management systems
- Guidelines for appropriate and inappropriate behavior/attitude
- Guidelines for communications regarding children
- Recognizing, reporting and reacting to allegations of abuse
- Ramifications of misconduct for those failing to follow the policy

What a child protection policy is not: Adopting a child protection policy does not absolve from further action. It is the beginning, not the end of child protection. A policy does not have to be solely directed towards sexual abuse, strongly believe that every organization (whether working directly or indirectly with children, whether funding or being funded) must take responsibility for child protection.

WHY CHILD PROTECTION POLICIES AND PROCEDURES?

Child protection policy is needed in order to:

Create 'aware culture'

To prevent un/intentional harm coming to children

Ensure children feel safe

Guarantee environment where children can speak out

Guarantee environment where children are listened to

Create an environment where children & staff are respected and empowered

Child protection policies, guidelines and systems prevent exposure of the organization to false or malicious accusations of abuse.

Without proper policies, guidelines and procedures in place, allegations of abuse, whether founded or unfounded, could have a negative impact on organization's reputation. This could also have serious implications for fundraising (thus undermining an organization's entire portfolio of work, even beyond the scope of the particular project concerned) as well as damaging the reputation of NGOs sector as a whole.

Donors are increasingly requiring organizations to have in place child protection policies as part of their funding criteria.

WHY IS CHILD PROTECTION IMPORTANT?

It acts as a simple reminder that child protection is a fundamental right and focuses attention on the essential elements that make child protection implementation successful.

People in the organization (both adults and children) need to be reassured that any sensitive information in their personnel records / any personal information about them is treated with respect. This means that such information is the only accessible to the minimum number of people necessary for the functioning of the organization and that there is clear guidance on instances when confidentiality must be breached in the best interests of the child/child protection.

Transparency is about having a clear and standardized process in place to minimize confusion and rumour. Transparency must not be confused with confidentiality: child protection policies and procedures must be transparent, i.e. everyone must know that they exist and must be clear about what they involve and the consequences of breaching them.

DEFINITION OF A CHILD RIGHTS-BASED APPROACH:

A child rights-based approach is an approach which views each and every child, without discrimination, as an individual human being, deserving of rights and participating in the process of achieving them in a supportive and resourced environment. Stated in more detail, it is an approach which sees each child as a unique and equally valuable human being, with the right not only to life and survival but also to develop to his/her fullest potential.

A child rights-based approach is, therefore, an approach that also takes into consideration, at all times, the five umbrella rights of the United Nations Convention on the Rights of the Child. These umbrella rights underpin all other separate articles in the United Nations Convention on the Rights of the Child:

- Best interests of the child (Art 3.1);
- Non-discrimination (Art 2);
- Participation (Art 12);
- Implementation (including of economic, social and cultural rights to the maximum extent of available resources) (Art 4);
- Right to life, survival and development (Art 6).

A child rights-based approach is an approach which sees each child:

- 1) As a unique and equally valuable (non-discrimination - Art. 2) human being
- 2) With the right not only to life and survival but also to develop to his/her fullest potential (Art. 6),
- 3) Offering the best understanding of any one of his/her own situation & with essential experience to offer (participation - Art. 12),
- 4) Who deserves to have his/her best interests met (Art. 3),
- 5) Through the adequate allocation of resources and implementation of all the rights in the CRC (Art. 4).

ELEMENTS OF A CHILD PROTECTION POLICY AND PROCEDURE

AFA guiding PRINCIPLES in child safeguarding are:

1. All children have a right to protection
2. All children have a right to participate
3. All actions regarding the safeguarding children must be undertaken in the best interest of the child
4. All AFA programs and activities must be designed to ensure that we respect children rights and do not cause harm
5. Child protection policy applies to all those working with or on behalf of AFA by agreeing to work with/for the organization, it is implied that the terms and conditions of the Child protection policy have been accepted as a condition of involvement.
6. All staff (including consultants and volunteers) are required to read the Code of Conduct as a condition of their involvement with AFA. This sets out specific expectations of acceptable and unacceptable behavior.
7. "Do not harm" principle must be applied by AFA staff/volunteers at all stages of the project /program lifecycle, right from needs assessment and scoping through to design, inception, implementation and monitoring and evaluation.
8. Everybody has a responsibility to protect children
9. All AFA partnering organizations must meet the minimum requirements in protection of child

AFA divided the contents of a child protection policy into the 8 areas, as standards that must be considered essential for child protection. These areas are:

MANAGEMENT RESPONSIBILITY IN CHILD PROTECTION

The existing management structure of AFA must take responsibility for safeguarding children at no time and to apply Child Protection Policy in all segments of work and communication with children and in relation to children.

Executive Director must ensure that each new employee receives, read and sign The Child Protection Policy before signing employment contract. Signed copy must be stored in their personnel file.

Executive Director, and Project Leaders must ensure that all AFA partners and associates are informed about child safeguarding and to ensure appropriate behavior towards children engaged in their project's activities

Project leaders must ensure that all consultants who are in contact with children through the organization work are provided with a copy and have sign a copy of Child Protection Policy

Project leaders must ensure that all volunteers and activist who are in contact with children through the organization work are provided with a copy and have sign a copy of Child Protection Policy

Executive Director must ensure that those who report child safeguarding concerns are given all support and protection in all aspects of the case circle.

Leaders make sure that children families know about AFAs child protection measures and commitments.

PERSONNEL RECRUITMENT

All employees, contractors, trustees, interns and volunteers, whether paid or unpaid, full time or part-time, temporary or long-term, having direct or indirect contact with children must undergo a thorough and standardized recruitment process.

EDUCATION AND TRAINING

There must be opportunities within the organization to develop and maintain the necessary skills and understanding to safeguard children.

It is important to ensure that all personnel and children themselves understand the importance of child protection so that all personnel know how to implement policies and procedures and work to the same high standards and that children know best how to protect themselves and make use of the policies and procedures in place.

MANAGEMENT STRUCTURE

A management process must be adopted in order to facilitate the implementation of the child protection policy and procedures. Without effective management support, staff working on child protection may feel isolated and be unaware of where responsibilities lie, and policies and procedures may fall through the gaps /, not be taken seriously / not be acted on/ not be fully implemented / not run smoothly.

BEHAVIOUR PROTOCOLS

Written guidelines for all employees, contractors, trustees, interns, volunteers and visitors must detail appropriate behavior with children.

It is important to clarify what constitutes appropriate and inappropriate behavior towards children and to ensure that all personnel understand and abide by behaviors which create a "child-safe environment" that respects children's physical and mental integrity/space/privacy.

COMMUNICATION GUIDELINES

There must be a set of guidelines to control confidential information regarding children and to prevent the presentation of degrading images of children through the organization's publications and website.

The communication guidelines must clarify what constitutes appropriate and inappropriate use of written, visual and verbal information relating to children and to ensure that all personnel understand the importance of protecting and respecting children's dignity and privacy and which safeguards them from being identified by those who may wish to harm them.

REPORTING AND REACTION PROTOCOLS

AFA established the procedures for reporting and reacting to witnessed, suspected or alleged child abuse and/or violation of the child protection policy, which is made available to, and understood by, all employees, contractors, trustees, interns, volunteers and children themselves.

This is important so that in the case of an incident, immediate and appropriate action is taken in the best interests of the child to treat the child with dignity and protect the child from harm, as well as that all personnel and children are clear about what they must do to report and react to an incident.

All workers and volunteers have a responsibility to safeguard children and young people and to report any concerns they may have for the protection or welfare of a child/young person.

If there is a reasonable suspicion on any of the employees, interns, volunteers or AFA partners that the rights of the child have been violated, they are obliged to report to the Project Leader who will inform Executive Director or directly to Executive Director who will further contact the relevant law enforcement agencies in both cases.

RAMIFICATIONS OF MISCONDUCT

This implies steps which must be undertaken as a result of any investigation of an allegation of a violation of the policies, guidelines, principles or practice of child protection, and to deter personnel from violating child protection policies and procedures, to ensure that those who do violate child protection are held accountable for their actions, with possibilities for further training (in the case of minor violations) or dismissal and potentially legal action.

REPRESENTATION OF CHILDREN THROUGH MEDIA CHANNELS

This section considers the actions that need to be taken to ensure that safeguarding children is included in media activities undertaken by AFA.

Article V. Implementing child protection policies and procedures

PERSONNEL AND CHILDREN - TRAINING / ORIENTATION:

All staff must be given guidance as to the Child protection policy and their responsibilities towards safeguarding children. Volunteers must also be included in this training.

Staff and volunteers will be given the opportunity for regular updates on safeguarding children - either formally, such as through training or supervision, or more informally, for example through discussion at staff meetings.

Records must be kept in HR files of all training conducted - with the date and list of attendees.

PERSONNEL - MANAGEMENT:

a) Have a written procedure on what to do if a member of personnel is concerned about witnessed, reported or potential child abuse. The procedure must include the contact details of the relevant person to contact (especially a phone number) and an alternate contact, and it must be kept up to date and clearly displayed in the organization for easy reference.

b) Use annual staff reviews/appraisals as an opportunity to discuss child protection issues with staff: i.e. are they happy with the level of training they have received? Would they know what to do if they witnessed an incident of abuse? Are they comfortable with the organization's guidelines on the use of

images and case studies of children? If they had any queries regarding child protection during the year, were they dealt with satisfactorily? Do they have any suggestions to make for improvements to the organization's policy and procedures? Does their manager have recommendations that the staff member improve their understanding/practice on issues? etc.

c) information management: there must be a clear procedure on information storage and sharing.

RECRUITMENT OF NEW PERSONNEL:

AFA recruitment procedures clearly and comprehensively describing the process of recruitment of the new staff or other categories of workers. All recruitment procedures are based on a detailed analysis of each job or volunteer task and the level of contact with children. Safer recruitment procedures include pre-selection, selection and post-selection actions to ensure that there are as many safeguards as possible in place.

The recruitment process must ensure that all new staff, interns, volunteers, consultants or another category of staff have been properly vetted (background checked), including references provided checked. Obligatory check of criminal record certificates from all locations where a candidate worked must be conducted during the recruitment process. This procedure is an obligatory component of safe recruitment procedure and must be applied to each category of candidates.

Monitoring and evaluating child protection policies and procedures

Everyone has a responsibility for ensuring that the Child Protection Policy is implemented as set out in the policy and procedures outline in this document. The Executive Director has overall responsibility for the Child Protection Policy. The Executive Director is responsible for determining policy and good practice and for implementation of the policy in all activities related to their areas of organizational responsibility.

To ensure appropriate implementation of child protection policy AFA must map potential risks and conduct a risk assessment in contact/work with children. Potential risks must be identified according to the organization (staff, volunteers, interns, partners, associates), organizational programs and projects, service provision, communication and technology and finances. After mapped and identified risks, must be developed and implemented mitigation strategy with an action plan, defined timeline and set up clear roles and responsibilities of relevant actors. Risk assessment and risk mitigation are part of AFA risk management strategy that is implementing, evaluating and monitoring on a regular basis.